



A WORKSHOP WILL BE CONDUCTED BY THE JASPER COUNTY COUNCIL.

Meeting Date: Monday, July 28, 2025, AT 10:00 A.M.

Place: Council Chambers, Jasper County Clementa C. Pinckney
Government Bldg.
358 3rd Avenue Ridgeland, SC 29936

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JASPER COUNTY COUNCIL
SPECIAL CALLED WORKSHOP
Jasper County Clementa C. Pinckney Government Bldg
358 3rd Avenue Ridgeland, SC 29936
Monday, July 28, 2025
Agenda

10:00 AM

❖ *Please silence your phones*

○ **Call to Order by Chairman Kemp**

Clerk's Report of Compliance with the Freedom of Information Act.

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the meeting and the meeting agenda were posted at least 24 hours prior to the meeting on the County Council Building at a publicly accessible place, on the county website, and a copy of the agenda was provided to the local news media and all person's or organizations requesting notification.

○ **Pledge to the Flag and Invocation**

○ **Approval of Agenda**

○ **Workshop Topics:**

- **Impact Fees**
- **Accessory Structures**

○ **General Discussion**

○ **Adjourn**

Special Accommodations Available Upon Request to Individuals with Disabilities, please contact the Jasper County ADA & Civil Rights Coordinator, ***Tisha Williams*** in person at 358 Third Avenue, Ridgeland, South Carolina, by telephone at ***(843) 717-3690*** or via email at [***jcadministrator@jaspercountysc.gov***](mailto:jcadministrator@jaspercountysc.gov) no later than 48 hours prior to the scheduled meeting

WORKSHOP

AGENDA

TOPIC:

Impact Fees

Impact Fee Study Overview

DRAFT



TischlerBise, Inc.

**40-year consulting practice
serving local government
nationwide**

- Impact fees/infrastructure financing strategies
- Fiscal/economic impact analyses
- Capital improvement planning
- Infrastructure finance/revenue enhancement
- Real estate and market feasibility

Abbeville County	Georgetown County	Aiken County	Greenville County
Dorchester District 2	Dorchester District 4	Anderson County	Horry County
Beaufort County	Orangeburg County	Beaufort Co. School Dist.	Rock Hill
Clover School District	Summerville	Fort Mill Schools	York County
Lancaster County	Lancaster County School District	Jasper County	Jasper County School District
Lexington County	Easley	Moncks Corner	Fountain Inn
Tega Cay	Clemson	Chester County Schools	York School District 1
Winnsboro	Pageland	Greer	Clinton
Inman	Woodruff	Richland County	

Basic Options for Funding Infrastructure

- Funding from broad-based revenues (property, income, sales taxes)
- Gas tax
- Special Assessment Districts
- Federal/State sources
- P3's
- Tolls
- Pioneering agreements
- Exactions
 - Obtained through development approval process (e.g., half street improvements)
- ***Accept lower levels of service!***

Impact Fee Fundamentals

- One-time payment for growth-related infrastructure
- Only to be spent on capital improvements
 - Can't be used for operations, maintenance, or replacement
- Existing residents/businesses **do not** pay
- A contractual arrangement to build infrastructure, with three requirements:
 - **Need:** Growth creates the need for the infrastructure
 - **Benefit:**
 - Short range expenditures
 - Geographic service areas and/or benefit districts
 - **Proportionality:** Growth pays its fair share of the cost

Conceptual Impact Fee Calculation

Demand Units per Development Unit	X	Infrastructure Units per Demand Unit	X	Dollars per Infrastructure Unit
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*2.5 persons per SFD unit x 5 acres per 1,000 persons x \$100,000 per acre =
0.0125 acres per SFD Unit @ \$1,250 per SFD Unit*

Impact Fees in South Carolina

- Code of Laws of South Carolina, Section 6-1-910 et seq.
- Impact fee revenue must be maintained in an interest-bearing account
- Monies must be spent within 3 years of scheduled date for construction in the CIP
- Must publish an Annual Monitoring Report
- Comprehensive review and update every 5 years
- All maximum allowable fee changes require an updated study
- Requires an analysis that estimates the effect of imposing updated impact fees on affordable housing

Infrastructure Categories Allowed by Act

- Water
- Wastewater
- Transportation
- Solid waste
- Stormwater
- Public safety (police, fire, ems)
- Parks and recreation
- Libraries
- Schools

Impact Fee Methodologies

- Cost Recovery (past)
 - Oversized and unique facilities
 - Funds typically used for debt service
- Incremental Expansion (present)
 - Formula-based approach documents level of service with both quantitative and qualitative measures
- Plan-Based (future)
 - Common for utilities but can also be used for other public facilities with non-impact fee funding

Evaluate Need for Credits

○ Site specific

- Developer constructs a capital facility included in fee calculations

○ Debt service

- Avoid double payment due to existing or future bonds

○ Dedicated revenues

- Property tax, local option sales tax, gas tax

LOCAL OPTION SALES TAX			
Year	Sales Tax	Student Projections	Revenue Per Studentper
21/22	\$666,667	10,634	\$62.69
22/23	\$666,667	10,834	\$61.53
23/24	\$666,667	11,034	\$60.42
24/25	\$666,667	11,234	\$59.34
25/26	\$666,667	11,434	\$58.31
26/27	\$666,667	11,634	\$57.30
27/28	\$666,667	11,834	\$56.33
28/29	\$666,667	12,034	\$55.40
29/30	\$666,667	12,234	\$54.49
\$6,000,000			\$525.82
Discount Rate			2.50%
Sales Tax Credit per Student:			\$467

Fee Schedule

- Implemented by ordinance/resolution
- Mechanism for determining the cost to be recovered from new development
 - How will fees be assessed?
 - Residential categories?
 - Nonresidential categories?
- Usually in current dollars
 - Many communities adjust annually for inflation using ENR Index or CPI

Development Type	Parks & Recreation	Police	Fire	Sanitation	Transportation	Maximum Supportable Fee
Residential (per housing unit)						
Single Family	\$2,213	\$710	\$1,200	\$314	\$368	\$4,804
Multifamily	\$1,212	\$389	\$657	\$172	\$176	\$2,606
Nonresidential (per 1,000 square feet/per room for Hotel)						
Retail	\$244	\$1,139	\$1,925	\$0	\$679	\$3,987
Office	\$374	\$439	\$742	\$0	\$262	\$1,817
Industrial	\$180	\$197	\$333	\$0	\$118	\$828
Institutional	\$348	\$604	\$1,021	\$0	\$360	\$2,333
Hotel	\$90	\$324	\$547	\$0	\$193	\$1,154

Myths and Misconceptions

- Impact fees cover the entire cost of new facilities, negating the need for higher taxes
 - A “properly” designed fee may come close
 - Credits
 - How about the O&M costs?
- Impact fees should be based on planning standards, without concern for deficiencies
- Nonresidential fees can be “adjusted” for economic reasons
- All developers/builders hate impact fees

Myths and Misconceptions

- Impact fees negatively affect low/moderate income housing
 - Credits for affordable housing can mitigate impact
 - Fee not always passed-on in the price of the home; studies have shown that fees are often absorbed by others in the “food chain” depending on market conditions:
 - Land owner
 - Developer
 - Homebuilder
 - Homeowner
 - Impact fee study includes affordability housing analysis

Jasper County Impact Fee Study

- Parks and Recreation
- Fire
- EMS
- Transportation
- Schools

Parks & Recreation

- Countywide service area
- Incremental expansion methodology
 - Land
 - Improvements
 - Trails
 - Community Centers

Parks & Recreation Analysis

- **Draft** Maximum Supportable Impact Fee

Fee Component	Cost per Person
Park Land	\$306.88
Park Improvements	\$8.29
Trails	\$78.24
Community Center Space	\$189.47
Total	\$582.88

Residential Development	Fees per Unit	
Development Type	Persons per Housing Unit ¹	Proposed Fees
Single Family	2.41	\$1,405
Multifamily	2.07	\$1,207

1. See Land Use Assumptions

Parks & Recreation Analysis

- Projected Revenue from Parks & Rec Fee

Fee Component	Total
Park Land	\$2,217,232
Park Improvements	\$59,863
Trails	\$565,309
Community Center Space	\$1,368,905
Total	\$4,211,309

		Single Family \$1,405 per unit	Multifamily \$1,207 per unit
		Hsg Unit	Hsg Unit
Base	2022	11,889	1,352
Year 1	2023	12,118	1,378
Year 2	2024	12,383	1,408
Year 3	2025	12,650	1,438
Year 4	2026	12,917	1,469
Year 5	2027	13,184	1,499
Year 6	2028	13,450	1,529
Year 7	2029	13,745	1,563
Year 8	2030	14,041	1,596
Year 9	2031	14,331	1,629
Year 10	2032	14,626	1,663
10-Year Increase		2,737	311
Projected Revenue		\$3,845,187	\$375,520

Projected Fee Revenue	\$4,220,707
Total Expenditures	\$4,211,309

Fire

- Countywide service area
- Incremental expansion methodology
 - Station space
 - Apparatus
- Credit for existing debt

Fire Analysis

- Draft** Maximum Supportable Fire Impact Fee

Fee Component	Cost per Person	Cost per Trip
Fire Facilities	\$321.96	\$94.61
Fire Apparatus	\$316.52	\$93.01
Debt Service Credit	(\$17.99)	(\$5.64)
Total	\$620.49	\$181.98

Residential Development	Fees per Unit	
Development Type	Persons per Housing Unit ¹	Proposed Fees
Single Family	2.41	\$1,495
Multifamily	2.07	\$1,284

Nonresidential Development	Fees per 1,000 Square Feet	
Development Type	Avg Weekday Vehicle Trips ¹	Proposed Fees
Commercial	12.21	\$2,223
Industrial	2.44	\$443
Office/Institutional	5.42	\$986

1. See Land Use Assumptions

Fire Analysis

- Projected Revenue from Fire Impact Fee

Fee Component	Total
Fire Facilities	\$2,751,518
Fire Apparatus	\$2,705,028
Total	\$5,456,545

		Single Family \$1,495 per unit	Multifamily \$1,284 per unit	Commercial \$2,223 per 1,000 Sq Ft	Industrial \$443 per 1,000 Sq Ft	Office/Institutional \$986 per 1,000 Sq Ft
		Hsg Unit	Hsg Unit	KSF	KSF	KSF
Base	2022	11,889	1,352	1,733	1,581	1,277
Year 1	2023	12,118	1,378	1,754	1,609	1,296
Year 2	2024	12,383	1,408	1,775	1,638	1,315
Year 3	2025	12,650	1,438	1,797	1,667	1,335
Year 4	2026	12,917	1,469	1,818	1,697	1,355
Year 5	2027	13,184	1,499	1,840	1,727	1,375
Year 6	2028	13,450	1,529	1,862	1,757	1,395
Year 7	2029	13,745	1,563	1,885	1,789	1,416
Year 8	2030	14,041	1,596	1,907	1,820	1,437
Year 9	2031	14,331	1,629	1,930	1,853	1,458
Year 10	2032	14,626	1,663	1,953	1,886	1,480
10-Year Increase		2,737	311	220	304	203
Projected Revenue		\$4,093,301	\$399,751	\$488,829	\$134,913	\$200,278

Projected Fee Revenue	\$5,317,072
Total Expenditures	\$5,456,545

EMS

- Countywide service area
- Incremental expansion methodology
 - Station space
 - Vehicles

EMS Analysis

- Draft** Maximum Supportable EMS Impact Fee

Fee Component	Cost per Person	Cost Per Trip
Emergency Services Space	\$138.52	\$40.71
Total	\$138.52	\$40.71

Residential Development	Fees per Unit	
Development Type	Persons per Housing Unit ¹	Proposed Fees
Single Family	2.41	\$334
Multifamily	2.07	\$287

Nonresidential Development	Fees per 1,000 Square Feet	
Development Type	Avg Weekday Vehicle Trips ¹	Proposed Fees
Commercial	12.21	\$497
Industrial	2.44	\$99
Office/Institutional	5.42	\$221

1. See Land Use Assumptions

EMS Analysis

- Projected Revenue from EMS Impact Fee

Fee Component	Total
Emergency Services Space	\$1,183,865
Total	\$1,183,865

		Single Family \$334 per unit	Multifamily \$287 per unit	Commercial \$497 per 1,000 Sq. Ft.	Industrial \$99 per 1,000 Sq. Ft.	Office/Institutional \$221 per 1,000 Sq. Ft.
		Hsg Unit	Hsg Unit	KSF	KSF	KSF
Base	2022	11,889	1,352	1,733	1,581	1,277
Year 1	2023	12,118	1,378	1,754	1,609	1,296
Year 2	2024	12,383	1,408	1,775	1,638	1,315
Year 3	2025	12,650	1,438	1,797	1,667	1,335
Year 4	2026	12,917	1,469	1,818	1,697	1,355
Year 5	2027	13,184	1,499	1,840	1,727	1,375
Year 6	2028	13,450	1,529	1,862	1,757	1,395
Year 7	2029	13,745	1,563	1,885	1,789	1,416
Year 8	2030	14,041	1,596	1,907	1,820	1,437
Year 9	2031	14,331	1,629	1,930	1,853	1,458
Year 10	2032	14,626	1,663	1,953	1,886	1,480
10-Year Increase		2,737	311	220	304	203
Projected Revenue		\$913,799	\$89,241	\$109,354	\$30,181	\$44,803

Projected Fee Revenue	\$1,187,378
Total Expenditures	\$1,183,865

Transportation

- Countywide service area
- Plan-based methodology
 - Based on projects identified by J. Bragg Consulting
- What roads will be realistically funded?
 - Should additional sales tax be factored
- What timeframe?

Transportation CIP

Location	Future Capacity Projects	Description	Notes	Total Cost	County Contribution
South of Great Swamp	S-442 (Argent Blvd from US 278 to SC 170)	Road Widening, Access Mgmt	4 lanes with multi-use pathways on both sides	\$57,000,000	\$45,815,000
	SC 170 (US 278 to SC 462)	Road Widening, Access Mgmt	6 lanes, short-term/intermediate projects in-progress	\$70,000,000	\$59,500,000
	John Smith Road (S-141)	Road Widening, Access Mgmt	3-lanes, with multi-use pathways on both sides	\$17,000,000	\$14,450,000
	US 278 Corridor (Beaufort County Line to I-95)	Road Widening	6 lanes	\$65,000,000	\$51,850,000
	SC 46/SC 170/ SC315 Intersection	Intersection Improvement	Extend 4-lane widening from Beaufort Co.line past intersection	\$30,000,000	\$25,500,000
	US 17/US 321 Intersection	Intersection Improvement	Skewed alignment	\$4,000,000	\$3,400,000
	US 17 Widening (SC 315 to SC 170)	Road Widening	4-lanes; was removed from SCDOT project	\$24,000,000	\$20,400,000
	US 17/SC 170 Intersection	Intersection Improvement	Align with Riverport Development Entrance	\$6,000,000	\$5,100,000
	US 17 Widening (US 278 to John Smith Road)	Road Widening	4 lanes with multi-use pathways on both sides	\$18,000,000	\$15,300,000
	New River Parkway (US 278 to Argent Blvd)	Road Widening	Include tie-in to TCL	\$11,000,000	\$9,350,000
	Short Cut Road (SC 170 to Argent Blvd)	Road Widening	3 lanes with multi-use path on one side	\$5,000,000	\$4,250,000
	SC 315 Widening from SC 170/SC 46 intersection to US 17	Road Widening	4-lane divided/5-lane widening	\$72,000,000	\$61,200,000
	US 17 Port Interchange	New Interchange	Interchange for future port	\$60,000,000	\$51,000,000
North of Great Swamp	SC 336 Improvements Intersection (Grahamville Rd to SC 336)	Intersection Improvement	Clean-up SC 336 into town	\$5,000,000	\$4,250,000
	Exit 18, US 17, Bees Creek Road, Glover Road	Road Improvements	New road improvements; SCDOT to update interchange	\$12,000,000	\$10,200,000
	I-95 Exit 22 Connector (US 278 to Bees Creek Road)	New Road	Open up growth; SCDOT to update interchange	\$36,000,000	\$30,600,000
	Glover Road (Bees Creek Road (S-13 to SC 462)	Road Improvement	Dirt road and paved road improvement - assume 2 lanes with R	\$26,000,000	\$22,100,000
	US 278/ SC 652 (Calf Pen Bay Rd) Intersection	Intersection Improvement	Intersection near business park	\$2,000,000	\$1,700,000
	SC 462 (SC 170 to Snake Road and Snake Road to SC 336)	Road Widening, Safety Improvements	4 lanes/5-lane widening for 3 miles, safety/resurfacing improve	\$56,000,000	\$47,600,000
	US 17 / Mackay Point Road (S-33) Intersection	Intersection Improvement	Decel lane; align with cross-street	\$5,000,000	\$4,250,000
	Snake Road (S-54) Widening (SC 462 to SC 170)	Road Widening	4-lane divided/5-lane widening with improved intersection at S	\$36,000,000	\$30,600,000
	US 321/ SC 336 Intersection	Intersection Improvement	Rural intersection with skewed alignment	\$2,500,000	\$2,125,000
	8 Traffic Signals for either North or South of Great Swamp	Traffic Signal	Various locations throughout County, as needed	\$8,000,000	\$6,800,000
	Total	0.00	0.00	\$627,500,000	\$527,340,000
			less Projected Transportation Sales Tax		\$30,000,000
			Net County Cost		\$497,340,000
2042 Average Day Vehicle Trips					165,035
Cost per Vehicle Trip					\$3,013.54

Transportation Analysis

- **Draft** Maximum Supportable Transportation Impact Fee

Fee Component	Cost per Veh Trip
Road Improvements	\$3,013.54
Total	\$3,013.54

Residential Development	Fees per Unit	
<i>Development Type</i>	<i>Avg Wkdy Veh Trips per Unit</i>	<i>Proposed Fees</i>
Single-Family	6.62	\$19,960
Multi-Family	4.15	\$12,498

Nonresidential Development	Fees per 1,000 Square Feet	
<i>Development Type</i>	<i>Avg Wkdy Veh Trips per 1,000</i>	<i>Proposed Fees</i>
Commercial	12.21	\$36,805
Industrial	2.44	\$7,338
Office/Institutional	5.42	\$16,333

Transportation Analysis

- Projected Revenue from Transportation Impact Fee

Fee Component	Total
Transportation Costs	\$497,340,000
Total	\$497,340,000

		Single Family \$19,960 per unit	Multifamily \$12,498 per unit	Commercial \$36,805 per 1,000 Sq Ft	Industrial \$7,338 per 1,000 Sq Ft	Office/Institutional \$16,333 per 1,000 Sq Ft
		Hsg Unit	Hsg Unit	KSF	KSF	KSF
Base	2022	11,889	1,352	1,733	1,581	1,277
Year 1	2023	12,118	1,378	1,754	1,609	1,296
Year 2	2024	12,383	1,408	1,775	1,638	1,315
Year 3	2025	12,650	1,438	1,797	1,667	1,335
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Year 7	2029	13,745	1,563	1,885	1,789	1,416
Year 8	2030	14,041	1,596	1,907	1,820	1,437
Year 9	2031	14,331	1,629	1,930	1,853	1,458
Year 10	2032	14,626	1,663	1,953	1,886	1,480
10-Year Increase		2,737	311	220	304	203
Projected Revenue		\$54,636,344	\$3,889,771	\$8,094,817	\$2,234,126	\$3,316,477

Projected Fee Revenue	\$72,171,534
Total Expenditures	\$497,340,000
From Other Revenue Sources	(\$425,168,466)

Jasper County Impact Fee Study

- **Draft** Jasper County Impact Fee Summary

Fees per Unit					
Development Type	Parks and Recreation	Fire/Rescue	Transportation	Emergency Services	Total
Single Family	\$1,405	\$1,495	\$19,960	\$334	\$23,194
Multifamily	\$1,207	\$1,284	\$12,498	\$287	\$15,276

Fees per 1,000 Square Feet					
Development Type	Parks and Recreation	Fire/Rescue	Transportation	Emergency Services	Total
Commercial	\$0	\$2,223	\$36,805	\$497	\$39,525
Industrial	\$0	\$443	\$7,338	\$99	\$7,880
Office/Institutional	\$0	\$986	\$16,333	\$221	\$17,540

Thank you

Questions & Answers

WORKSHOP

AGENDA

TOPIC:

Accessory Structures

NOTES FOR WORKSHOP REGARDING ACCESSORY STRUCTURES

- The staff report provided for the workshop is the same exact staff report provided at the July 21, 2025 County Council Meeting.
- June 2, 2025, proposed ordinance amendment regarding accessory structures sent back to Planning Commission to take another look at proposed ordinance.
- June 10, 2025, Planning Commission instructed staff to look at other nearby counties to compare standards regulating accessory structures.
- July 10, 2025, Planning Commission reviewed the proposed ordinance amendment for accessory structures and looked at regulations from Beaufort County, Colleton County, Orangeburg County, and Berkley County.
- Although a copy of these requirements have been provided for your review, I have provided a summary below. Berkley County's Ordinance is 102 pages because they grouped all of their uses together under each zoning district, so I have highlighted the regulations pertaining to accessory structures.

Exhibit A - Jasper County uses building placement, setbacks, and building size limitation to regulate accessory structures. Accessory structures are limited to 800 s.f. or 25% of the total ground floor area in the Residential Zoning District and in the Rural Preservation Zoning District are limited to 1,000 s.f. for 1-1.9 acres, 1,250 s.f. for 2-2.9 acres, 1,500 s.f. for 3-4.9 acres and 2,000 s.f. for 5 acres or more plus 250 s.f. for each additional acre over 5 acres.

Exhibit B - Beaufort County uses setbacks and size limitations to regulate accessory structures. Accessory structures cannot exceed 30% of the principal structure except for 2 car garages, which shall not exceed 600 s.f.. The T2R (Rural District is exempt from this requirement). Beaufort County amended their accessory structures to allow accessory uses to be connected to the principal structure via a roofline connecting walkway that meets the building code, which then is classified as part of the principal structure rather than an accessory structure.

Exhibit C - Colleton County uses setbacks and building placement to regulate the size of accessory structures. In some cases, they do have increased setbacks, but no size limitations for accessory structures.

Exhibit D - Orangeburg County uses building placement and setbacks to regulate accessory structures. There are no size limitations for accessory structures.

Exhibit E - Berkley County uses building placement, setbacks, and building size limitations to regulate accessory structures. Accessory structures are not allowed to exceed 65% of the principal structure.

Proposed Ordinance if approved:

- Residential Zoning District:

For lots that are less than 1/2 acre in size, the total square footage of an accessory structure shall be limited in size to either 25 percent of the total ground floor area of the principal structure or 800 square feet, whichever is greater.

For lots that are greater than 1/2 acre, the building size is limited to either 50 percent of the total ground floor area of the principal structure or as follows, whichever is greater:

- .51 acres – .99 acre, 1,000 square feet
- – 1.9 acres, 1,200 square feet
- – 2.9 acres, 1,300 square feet
- – 3.9 acres, 1,400 square feet
- – 4.9 acres; 1,500 square feet
- 5.0 acres, 1,600 square feet plus 100 square feet per additional acre over five acres, not to exceed 3,500 square feet.

- Resource Conservation and Rural Preservation Zoning District:

- ~~The~~ total square footage of an accessory unit is limited to either 50 percent of the total ground floor area of the principal structure or as follows, whichever is greater:

- 1.0 – 1.9 acres, ~~1,000~~ 1,400 square feet
- 2.0 – 2.9 acres, ~~1,250~~ 1,600 square feet
- 3.0 – ~~4.9~~ 3.9 acres, ~~1,500~~ 1,800 square feet
- 4.0 – 4.9 acres, 2,000 square feet

5.0 or more acres, 2,500 square feet plus 250 200 square feet per additional acre over five acres.

Additional Recommendations:

- Allow accessory structures to be built up to 50% of the principal building size for lots greater than 1/2 acre in size in both the Residential and Rural Preservation Zoning District OR meet the building size limitation, whichever is greater.
- Replace “total ground floor area of the principal structure” with “total square footage of the principal structure”. This will allow a second floor to be counted as part of the square footage for meeting the 50% building size.
- Exempt Bonafide Agricultural Structures and add a definition to Article 4 to clearly define what an agricultural structure is - Agriculture Structure: a non-residential building or facility located on land used for farming, designed for various purposes related to the production and storage of agricultural goods, feeds, and equipment. These structures are integral to farming operations and may include barns, silos, greenhouses



Jasper County Planning and Building Services

358 Third Avenue - Post Office Box 1659
Ridgeland, South Carolina 29936
Phone (843) 717-3650 Fax (843) 726-7707

Lisa Wagner, CFM
Director of Planning and Building Services
lwagner@jaspercountysc.gov

Jasper County Council Staff Report

Meeting Date:	July 28, 2025
Project:	Zoning Text Amendment – Article 9:6, <i>Accessory Structures</i>
Submitted For:	Workshop

Description: Article 9:6 of the Jasper County Zoning Ordinance, regulates accessory structures, which are defined as any structure over 120 square feet that supports an approved accessory use. Currently, the ordinance has a size limitation for accessory buildings in the Residential, Rural Preservation and Resource Conservation Zoning Districts. While the size limitation for accessory structures may be reasonable and appropriate for small lot sizes, properties within subdivisions and near the municipalities, the size limitation creates problems for property owners in the rural areas of the County. The proposed ordinance as amended would allow additional square footage for accessory structures depending on the lot size.

Analysis: The proposed ordinance would amend Articles 9:6.2 and 9:6.4 of the Jasper County Zoning Ordinance as outlined below (**new language in red** and strikethroughs represent language to be deleted):

Article 9:6, Accessory Structures:

An accessory structure is any structure over 120 square feet that supports an approved accessory use as defined in article 4.

9:6.1. General standards.

1. Except for accessory structures used in connection with agricultural uses or accessory dwelling units allowed by section 11:6 or 11:7, accessory structures shall not exceed 20 feet in height.
2. Accessory dwelling units and commercial accessory structures are limited to height restrictions required in article 7.5.
3. Accessory structures shall be at least ten feet from the principal structure and at least ten feet from another accessory structure. Placement may be subject to fire marshal approval.
4. No accessory structure shall occupy any part of a bufferyard.
5. No accessory structure shall occupy any part of a required setback.

6. Square footage limitations apply to the entire property and can be divided between multiple accessory structures.
7. Square footage limitations apply only to covered square footage separate from the primary use or structure.
8. Structures 120 square feet or larger require a building and zoning permit. Structures under this size must still adhere to the provisions of this section.

9:6.2. Accessory Structures and Dwelling Units in the Residential Zoning District

Accessory structures provide opportunities for small scale aesthetic and shade structures; functional, protected, enclosed ancillary storage and activity space; among other benefits. As subordinate facilities to a principal structure, however, appropriate regulation is required in order to ensure compatibility of land uses, protect privacy of neighbors, ensure minimum open space and area requirements, and protect the health, safety, and welfare of the neighborhood and community.

1. One dwelling unit is allowed per lot, except as allowed by section 11:6 or 11:7. However, second floor garage apartments are considered an approved accessory structure and use.
2. Buildings accessory to single-family dwellings include non-commercial garages, barns, storerooms, open shelters, woodsheds, laundry rooms, play houses, greenhouses, hobby shops, guesthouses or pool houses built in conjunction to the primary dwelling (not meant for permanent occupancy) and animal or fowl shelters. This section does not include structures used to store wells, pumps, utilities or associated accessory equipment.
3. Accessory structures shall be allowed in side and rear yards and shall meet all setback requirements stated in article 7. Detached garages in conjunction with the primary dwelling may be located in front yards but are subject to setback requirements. All other accessory structures shall be allowed in side and rear yards.
4. For larger-lot residential designated property (over two acres), accessory structures in front yards shall be allowed but are subject to 75-foot setbacks.
5. For lots that are less than 1/2 acre in size, the total square footage of an Accessory structure shall be limited in size to either 25 percent of the total ground floor area of the principal structure or 800 square feet, whichever is greater.

For lots that are greater than 1/2 acre, the building size is limited to either 50 percent of the total ground floor area of the principle structure or as follows, whichever is greater:

.51 acres – .99 acre, 1,000 square feet

1.0 – 1.9 acres, 1,200 square feet

2.0 – 2.9 acres, 1,300 square feet

3.0 – 3.9 acres, 1,400 square feet

4.0 – 4.9 acres; 1,500 square feet

5.0 acres, 1,600 square feet plus 100 square feet per additional acre over five acres, not to exceed 3,500 square feet.

6. Where an accessory building is erected in the side yard adjacent to a street on a corner lot, it shall not be located closer to the street than the required front yard setback distance.
7. Shipping containers cannot be used as accessory structures in the residential zoning district.
8. There is a limit to three accessory structures per residential lot.

9:6.3. Accessory Structures in Commercial, Industrial and Community Commercial Zoning Districts.

1. There is no limit on accessory structures for approved accessory uses as defined in article 4.
2. Accessory structures shall meet all setbacks as noted in article 7.

9:6.4. Accessory Structures in Resource Conservation and Rural Preservation Zoning Districts

Accessory structures provide opportunities for small scale aesthetic and shade structures; functional, protected, enclosed ancillary storage and activity space; among other benefits. As subordinate facilities to a principal structure, however, appropriate regulation is required in order to ensure compatibility of land uses, protect privacy of neighbors, ensure minimum open space and area requirements, and protect the health, safety, and welfare of the neighborhood and community.

1. ~~The~~ Total square footage of an accessory unit is limited to the following:
 - 1.0 – 1.9 acres, ~~1,000~~ 1,400 square feet
 - 2.0 – 2.9 acres, ~~1,250~~ 1,600 square feet
 - 3.0 – ~~4.9~~ 3.9 acres, ~~1,500~~ 1,800 square feet
 - 4.0 – 4.9 acres, 2,000 square feet
 - 5.0 or more acres, 2,500 square feet plus ~~250~~ 200 square feet per additional acre over five acres.
2. Buildings accessory to single-family dwellings include non-commercial garages, barns, storerooms, open shelters, woodsheds, laundry rooms, play houses, greenhouses, hobby shops, guesthouses or pool houses built in conjunction to the primary dwelling (not meant for permanent occupancy) and animal or fowl shelters. This section does not include structures used to store wells, pumps, utilities or associated accessory equipment
3. There is no limit on the number of accessory structures, only limits on square footage.
4. Accessory structures can be placed in side and back yards but must adhere to setback requirements. Front yard accessory units are only allowed if they meet a 75-foot setback.

Planning Commission Recommendation: The Planning Commission reviewed this Ordinance amendment at their May 13, 2025, June 10, 2025, and July 8, 2025 Meetings and recommends approval of the proposed zoning text amendment as outlined above.

Attachments:

1. Exhibit A – Jasper County Standards for Accessory Structures (current regulations)

2. Exhibit B – Beaufort County Standards for Accessory Structures
3. Exhibit C – Colleton County Standards for Accessory Structures
4. Exhibit D – Orangeburg County Standards for Accessory Structures
5. Exhibit E – Berkley County Standards for Accessory Structures

§ 9:6 ACCESSORY STRUCTURES

An accessory structure is any structure over 120 square feet that supports an approved accessory use defined in Article 4.

9:6.1 General Standards

1. Except for accessory structures used in connection with agricultural uses or accessory dwelling units allowed by Section 11:6 or 11:7, accessory structures shall not exceed twenty (20) feet in height.
2. Accessory Dwelling Units and Commercial Accessory Structures are limited to height restrictions required in Article 7.
3. Accessory structures shall be at least ten (10) feet from the principal structure and at least ten (10) feet from another accessory structure. Placement may be subject to Fire Marshal approval.
4. No accessory structure shall occupy any part of a bufferyard.
5. No accessory structure shall occupy any part of a required setback.
6. Square footage limitations apply to the entire property and can be divided between multiple accessory structures.
7. Square footage limitations apply only to covered square footage separate from the primary use or structure.
8. Structures 120 SF or larger require a building and zoning permit. Structures under this size must still adhere to the provisions of this section.

9:6.2 Accessory Structures and Dwelling Units in the Residential Zoning District.

Accessory structures provide opportunities for small scale aesthetic and shade structures; functional, protected, enclosed ancillary storage and activity space; among other benefits. As subordinate facilities to a principal structure; however, appropriate regulation is required in order to ensure compatibility of land uses, protect privacy of neighbors, ensure minimum open space and area requirements, and protect the health, safety and welfare of the neighborhood and community.

1. One dwelling unit is allowed per lot, except as allowed by Section 11:6 or 11:7. However, second floor garage apartments are considered an approved accessory structure and use.
2. Buildings accessory to single family dwellings include non-commercial garages, barns, storerooms, open shelters, woodsheds, laundry rooms, play houses, green

houses, hobby shops, guesthouses or pool houses built in conjunction to the primary dwelling (not meant for permanent occupancy) and animal or fowl shelters. This section does not include structures used to store wells, pumps, utilities or associated accessory equipment.

3. Accessory structures shall be allowed in side and rear yards and shall meet all setback requirements stated in Article 7. Detached garages in conjunction with the primary dwelling may be located in front yards but are subject to setback requirements. All other accessory structures shall be allowed in side and rear yards.
4. For larger-lot Residential designated property (over two (2) acres), accessory structures in front yards shall be allowed but are subject to 75 foot setbacks.
5. Accessory structures shall be limited in size to either 25% of the total ground floor area of the principal structure or 800 SF of total floor area, whichever is greater.
6. Where an accessory building is erected in the side yard adjacent to a street on a corner lot, it shall not be located closer to the street than the required front yard setback distance.
7. Shipping containers cannot be used as accessory structures in the Residential Zoning District.
8. There is a limit to three (3) accessory structures per Residential lot.

9:6.3 Accessory Structures in Commercial, Industrial and Community Commercial Districts.

1. There is no limit on accessory structures for approved accessory uses defined in Article 4.
2. Accessory structures shall meet all setbacks as noted in Article 7.

9:6.4 Accessory Structures in Resource Conservation and Rural Preservation

Accessory structures provide opportunities for small scale aesthetic and shade structures; functional, protected, enclosed ancillary storage and activity space; among other benefits. As subordinate facilities to a principal structure; however, appropriate regulation is required in order to ensure compatibility of land uses, protect privacy of neighbors, ensure minimum open space and area requirements, and protect the health, safety and welfare of the neighborhood and community.

1. Total square footage of accessory units is limited to 1.0 - 1.9 acres, 1000 SF; 2.0 -

2.9 acres, 1250 SF; 3.0 – 4.9 acres, 1500 SF; 5.0 or more acres, 2000 SF plus 250 SF per additional acre over five.

2. Buildings accessory to single family dwellings include non-commercial garages, barns, storerooms, open shelters, woodsheds, laundry rooms, play houses, greenhouses, hobby shops, guesthouses or pool houses built in conjunction to the primary dwelling (not meant for permanent occupancy) and animal or fowl shelters. This section does not include structures used to store wells, pumps, utilities or associated accessory equipment.
3. There is no limit on the number of accessory structures, only limits on square footage.
4. Accessory structures can be placed in side and rear yards but must adhere to the setback requirements. Front yard accessory units are only allowed if they meet a 75 foot setback.

9:6.5 Hunt Camp and Rural Accessory Seasonal Dwelling Units

Hunt Camp and Rural Accessory Seasonal dwelling units (mobile homes and cabins) are allowed on land owned by hunt club organizations or large land owners without subdivision for the purpose of seasonal hunting and recreational use, provided:

1. Clustering is acceptable, but 25 feet between structures must be maintained.
2. Building setback is 150' from any public roadway or property line.
3. One Hunt Camp and Rural Accessory Seasonal Dwelling Unit is allowed for every 100 acres of land.
4. Zoning and Building Permits must be attained prior to construction.

Beaufort County – Standards for Accessory Structures

Standards for Freestanding Accessory Buildings/Structures.

1. Location.

a. General.

- (1) No accessory use, structure, or activity except water/marine-oriented facilities shall occupy or take place in a required front, side, or rear yard setback, except for permitted fences or walls erected on a property line or an ornamental pond.
- (2) Except in T1 (Natural Preserve District), T2R (Rural District), and T2RL (Rural District) zones, all river, marsh, and ocean waterfront lots, and water/marine-oriented facilities, no accessory structure shall project beyond the front building line of the principal structure.
- (3) Except for fences, walls, swimming pools, hot tubs, and air conditioning compressor units, no accessory structures shall be located within five feet of a principal structure or any other accessory structure.
- (4) No accessory structure shall be located within any platted or recorded easement or over any known utility.
- (5) All freestanding accessory structures shall meet the side setbacks and building height standards for ancillary buildings in Article 3 (Specific to Zones).
- (6) Except for water/marine-oriented facilities, all freestanding residential accessory structures shall be set back from rear property lines as follows:
 - (a) Five feet for lots less than 10,000 square feet.
 - (b) Ten feet for lots between 10,000 square feet and one acre.
 - (c) Twenty-five feet for lots one acre or greater.
- (7) Freestanding non-residential accessory structures shall meet the rear yard setback for the principal structure.
- (8) Finished heated habitable spaces and garages that are connected to the primary structure via a roofline connecting walkway that meets building code shall be considered part of the primary structure. In these instances, the structure(s) become a part of the primary structure; thus, it is subject to primary structure setbacks and other building placement standards and shall match the primary structure's architectural design and material. The walkway connection(s) shall have a width that is greater than or equal to four (4) feet and may be open or enclosed. In no instance shall the roofline connecting walkways exceed a combined length of thirty (30) total linear feet. If the connection(s) and structure(s) do

not meet these requirements, it shall be permitted as an accessory structure and subject to all accessory structure standards.

b. Water/Marine-Oriented Facilities. Structures used for water/marine-oriented facilities such as boat docks, boat houses, and similar uses may be located where necessary to provide access to the waterfront.

c. Air Conditioner Compressor Units. Air conditioner compressor units shall be located in the building envelope.

2. Size. Except for the T2R district, individual freestanding accessory structures on a parcel shall not collectively exceed 30 percent of the floor area of the principal structure. This does not include standard two-car garages (less than 600 square feet), accessory dwellings, structures used for bona fide agricultural purposes, and accessory structures used for home businesses and cottage industries. In the T2R district, except for structures used for bona fide agricultural purposes, all freestanding accessory structures shall be clearly incidental and subordinate to the principal structure.

3. Storage Buildings for Private Residential Use Only. Storage buildings are permitted on residential lots provided they are used only for private residential storage of the property owner or tenant.

4. Tractor trailers and shipping containers may not be used as accessory structures.

Colleton County allows accessory structures in all zoning districts as a conditional use. The conditions are listed below:

14.08-3.020. Conditional use regulations.

A. Accessory structures and uses.

1. Manufactured homes, campers, trailers or recreational vehicles cannot be used for storage or as any type of accessory structure, and only one shipping container may be used as an accessory structure per lot.
2. No accessory use shall occupy any part of a dedicated easement, a required setback, a buffer yard, a landscaped area or any areas designated as parking and loading zones or areas.
3. Unless specifically stated in subsections A.5, A.6 and A.7 and Table 8 of this section, all accessory uses and structures shall observe all required setbacks, yard, and other requirements applicable to the principal building or use for the district where they are located.
4. Accessory structures shall be located within the buildable area on the same lot as the principal structure and observe the height limits for the district where they are located, but in no instance exceed the height of the principal structure.
5. Farm structures up to 5,000 square feet located on parcels two acres or larger in the RC-1, RC-2, RD-1 and RD-2 zones may be located no closer than 150 feet from the front property line; otherwise, no accessory structure may be located in a front yard. Please also see paragraphs A.6 and A.7 and Table 8 below for more information.
6. In the RD-1 and RD-2 Zoning Districts only, accessory structures of any size on agricultural properties of five acres or more, may be located in the front yard between the principal structure and be no closer than 50 feet from the front property line, if provided with a natural landscaped buffer which has the opacity of a solid wall in accordance with subsection 14.08-4.020(D)(3), to ensure complete concealment of the structure from any public/private rights-of-way and on the sides facing any residential dwelling units located within 300 feet of the structure on any abutting properties.
7. Waterfront properties with or without an OCRM Critical Line may locate only one accessory structure in the designated front yard under the following circumstances:
 - a. One accessory structure may be located in front of the principal dwelling unit (between the street and the front of the principal dwelling unit) when the minimum lot area is 50 percent larger than the minimum lot area requirement for the zoning district.
 - b. When the accessory structure is to be located to the side or rear of the principal dwelling unit the accessory structure shall adhere to the minimum principal structure side yard setbacks for the zoning district and a minimum of 30 feet from the OCRM Critical Line or rear property line.
 - c. Accessory structures shall be located a minimum of 15 feet from all other structures.

COLLETON COUNTY – ACCESSORY STRUCTURES

8. Where an accessory structure is erected in the required rear yard on a corner lot, it shall not be located any closer to the secondary street than the required primary front yard setback.
9. Customarily incidental accessory uses shall be located on the same lot as the principal structure or use, and except for properties utilized for agricultural purposes, a permanent accessory structure shall not be placed on the lot prior to the principal structure.
10. Table 8 below describes the setbacks allowed and other information necessary for specific types of residential, waterfront, commercial and industrial accessory uses and structures.

Accessory Use/ Structure	Allowed Location	Allowable Encroachment into Principal Structure Setbacks	Required Setback	Other
Sheds and structures for dry storage and greenhouses	Side or rear yard*	Rear yard setback and side yard setback	3 feet from property line	Accessory structures shall be located a minimum of 15 feet from all other structures and overhead power lines. See subsection A.7 for requirements on waterfront properties.
Domestic animal shelters and pens	Rear yard	Rear yard setback and side yard setback	10 feet from property line	This does not apply to the conditional or special exception use of animal services with outdoor kennels for 24 or more animals of any combination.
Swimming pools & spas, tennis courts, and recreational uses	Rear yard	Rear yard setback	10 feet from property line	All lighting shall be shielded down and away from adjoining residences. Pre-application meeting and special IBC safety requirements for pools and spas.
Ground supported communication and reception antennas	Side or rear yard	Rear yard and side yard setback	5 feet from property line	none

COLLETON COUNTY – ACCESSORY STRUCTURES

Fences and walls	All yards	All yard setbacks	Along property line. Driveway and sight-triangle setbacks are required.	Less than 6 feet high—zoning permit. 6 to 8 feet high—building permit. More than 8 feet high—ZBA variance required with hardship.
Boat houses and docks	All yards	All yard setbacks	Along property line where line meets water's edge	Shall adhere to all FEMA and OCRM requirements and permits.
Carport canopies	All yards	Rear yard setback and side yard setback	3 feet from property line	Non-enclosed; square footage not to exceed 25% of principal residence
Handicap access ramps, Ground mounted solar panels, Gate houses, Hunting stands, Gazebos, Landscaping, features and Commercial accessory structures	All yards	All yard setbacks	3 feet from property line	Single-family; mobile homes; commercial; business; office; and, industrial
Park model trailers, campers, and RVs as temporary housing.	Side and rear	Side and rear	5 feet	Temporary use only up to one year without ZBA approval, see subsection "Y" for all requirements, and all floodplain and floodway requirements apply, restrictive covenants apply, not allowed on Edisto Island.

*See subsections A.5, A.6 and A.7 of this section, for the requirements for accessory structures, including waterfront accessory structures, and farm structures allowed in the front yard setback.

Section 7.5. Accessory Buildings and Uses.

1. No mobile or manufactured home or shipping container shall be used as an accessory building.
2. If located within the buildable area, accessory buildings shall observe the height limits for the district within which they are located. If located in a required setback area, said buildings shall not exceed 12 feet in height.
3. No accessory use shall occupy any part of a bufferyard.
4. *Setbacks - Accessory Uses.* Unless specifically modified below, all accessory uses and structures shall observe the required setbacks applicable to the principal building or use, as set forth in Table 2.

TABLE 6. SETBACK MODIFICATIONS, ACCESSORY USES

Accessory Uses	Required Setback Area			
	Front	Side	Corner Lot	Rear
To Residential Uses				
Bathhouses, Cabanas, Decks	BL	BL	BL	10'
Domestic Animal Shelters	BL	BL	BL	3'
Non-Commercial Greenhouses	BL	BL	BL	3'
Detached Garage & Carport	BL	BL	BL	3'
Fences & Walls	(B)	(B)	(B)	(B)
Swimming Pool, Tennis Courts	BL	BL	BL	10'
Auxiliary Shed, Workshop, Storage Building, etc.	BL	BL	BL	3'
Off-Street Parking	10'	0'	10'	0'
Horticulture, Gardening	0'	0'	0'	0'
Family Day Care Home	BL	BL	BL	BL
Satellite Dishes, etc.	BL	BL	BL	3'
Shipping Containers	BL	BL	BL	BL
To Nonresidential Uses				
Buildings, Structures	BL	(A)	BL	(A)
Open Storage	BL	BL	BL	(A)
Off-Street Parking Area	0'	(A)	(A)	(A)
Off-Street Loading Area	0'	(A)	(A)	(A)
Freestanding Signs	3'	3'	3'	3'

(A) Minimum Setbacks:	Side Yard	Rear Yard
From Residential Zoned Property Line	20'	20'
From All Other Property Lines	0'	0'
Note: Minimum setback shall be not less than the requirements of Table 2, if bufferyard is required.		
(B) Fences and walls may be located in all required yards along any property line, provided the structure shall meet the visibility requirements of Section 7.5; further provided that the structure shall not exceed six feet in height and opaque fences shall not be constructed in the front yard setback area unless approved by the Zoning Administrator.		
BL = Required Building Line for principal use.		

ARTICLE 5. URBAN RESIDENTIAL ZONING DISTRICTS

5.1. Single-family residential district (R1).

Single Family Residential District

5.1.1. *Intent.*

- A. The R1 single-family district is intended to implement the land use goals of the residential growth areas within urbanizing areas in the unincorporated portions of Berkeley County.
- B. This district is intended to:
 - 1. Permit development of moderate density residential communities.
 - 2. Encourage urban communities to develop in a manner that minimizes sprawl patterns.
 - 3. Encourage efficient development patterns and use of in-fill development.
 - 4. Protect development in residential growth areas from infiltration of incompatible land uses.
 - 5. Provide for the development of recreational, religious, and educational facilities as basic elements of a balanced residential area.
 - 6. Permit the location of needed community facilities in support of residential development.

5.1.2. *Location.* This district shall be applied in the residential growth areas mapped on the future land use map in the comprehensive plan. R1 residential densities require public water and sewer. Application of this district should be limited to areas planned for or served by public water and sewer.

USES

5.1.3. *Permitted uses.* The following uses are permitted within the R1 single-family district:

- A. *Recreation uses.*
 - 1. Golf course.
 - 2. Indoor recreation.
 - 3. Outdoor recreation, active.
 - 4. Outdoor recreation, passive.
- B. *Institutional uses.*
 - 1. Assembly and worship.
 - 2. Government offices, public services, and local utilities.
 - 3. School, neighborhood and community.
- C. *Residential uses.*
 - 1. Single-family detached.

5.1.4. Accessory uses. Accessory uses are permitted as a detached structure or use subordinate to the main building or classification that is used for purposes customarily incidental to the principal use. Accessory uses shall not exceed 65 percent of the size of the principal classification.

The following uses are permitted as accessory uses within the R1 single-family district:

A. Residential.

1. Fences and walls;
2. Garages, carports, and off-street parking;
3. Guesthouse, gate houses and guard houses;
4. Playhouses, patios, cabanas, porches, gazebos, and incidental household storage buildings;
5. Radio and television receiving antennas;
6. Recreational and play facilities for the use of residents;
7. Tennis courts, swimming pools, and hot tubs;
8. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

B. Institutional and civic.

1. Refreshment stands and food and beverage sales located in uses involving public assembly;
2. Cafeterias, dining halls, and similar food services when operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
3. Gift shops, newsstands, and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
4. Recreation areas and facilities for the use of the employees;
5. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

5.1.5. Uses permitted with conditions. The following uses are permitted as conditional uses within the R1 single-family district. All listed conditions shall be demonstrated prior to permit approval. See article 11 for the procedure for approval of conditional uses.

A. Agricultural uses.

1. Residential chickens.
 - a. All conditions and regulations found in article 11.3.4 shall be met prior to permit approval.

B. Institutional uses.

1. Family day care home.
 - a. All conditions and regulations found in article 11.6 shall be met prior to permit approval.

C. Residential uses.

1. Home occupation.

- a. Permitted as accessory use only.
- b. All conditions and regulations found in article 11.9 shall be met prior to permit approval.

5.1.6. *Special exceptions.* The following uses are permitted as special exception uses within the R1 single-family district. See article 11 for the procedure for approval of special exception uses.

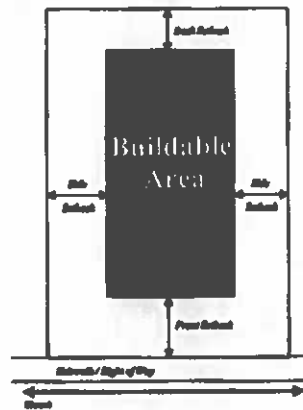
A. *Commercial uses.*

1. **Bed and breakfast.** In addition to the conditions and regulations found in article 11.4, the board of zoning appeals shall determine whether the proposed special exception meets the following criteria:
 - a. Meets the goals of the comprehensive plan.
 - b. Adequate parking is provided on-site and not within the required front yard.
 - c. This use is limited to structures at least 50 years old or structures with an identifiable architectural style.
 - d. Proposal shall demonstrate that use will not disrupt residential nature of the surrounding neighborhood.

5.1.7. *Prohibited uses.* The following uses are prohibited within the R1 single-family district.

1. Mobile home park.
2. All uses not listed as permitted are prohibited.

LOT AND BUILDING STANDARDS



5.1.8. *Lot requirements.*

A. *Minimum lot size.*

1. Public water and sewer available: 14,000 square feet.
2. Only public sewer available: 14,000 square feet.
3. Only public water available: 14,000 square feet.
4. Individual wells and septic tanks: 30,000 square feet.

B. *Minimum lot frontage.*

1. Standard lot: 20 feet.

2. Corner lot: 40 feet.
- C. Maximum lot development: One primary residential unit/parcel.
- D. Clustering of lots may be permitted by the procedures outlined in Article 13 of the Zoning and Development Standards Ordinance.
- E. Bonus density may be allowed as set forth in article 13: Bonus Density.

5.1.9. Minimum yard requirements.

Parcel Size	Front (feet)	Sides (feet)	Rear (feet)	Second Street Front (feet)	Open Drainage* (feet)	Ingress/Egress Easements†
14,000 sq. ft. and greater	35	15	30	35	30	Min. required for front, rear, or side
10,000 sq. ft. to 13,999 sq. ft.	30	10	25	30	30	Min. required for front, rear, or side
6,001 sq. ft. to 9,999 sq. ft.	25	7.5	20	25	30	Min. required for front, rear, or side
6,000 sq. ft. and under	20	7.5	20	20	30	Min. required for front, rear, or side

* This is the minimum setback required for open drainage ditch and/or stormwater pond easement lines (excluding swales).

† This is the minimum setback from any ingress/egress easement.

Accessory structures are permitted in the rear and side yards only with minimum five-foot setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the accessory structure is placed in that portion of the yard that fronts a second street frontage of the property, the setback from the second street frontage property line for the accessory structure is the required second street frontage setback for the primary structure.

5.1.10. Building requirements.

- A. Impervious coverage: 50 percent maximum.
- B. Building height: Less than 40 feet to the highest part of the structure. The height limits contained in the airport overlay district, as regulated by article 10, may apply additional height limitations to a specific piece of property.

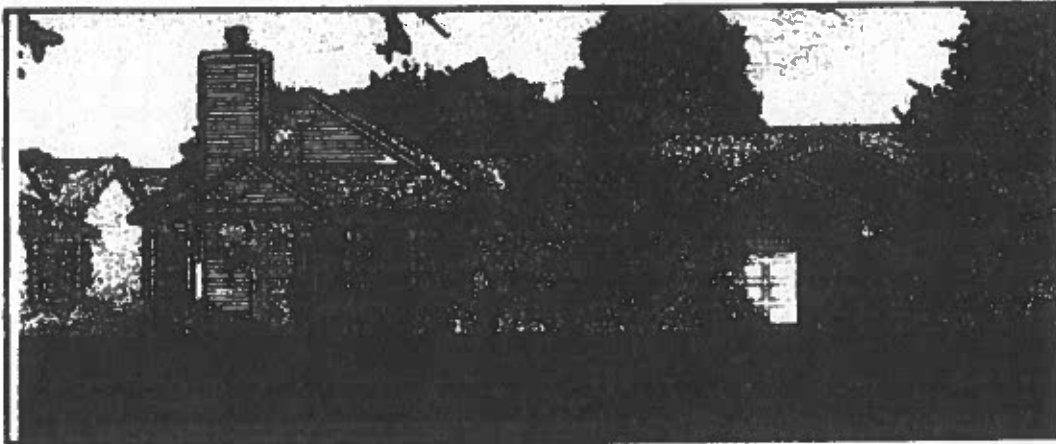
SITE STANDARDS

5.1.11. Parking standards. All uses within this district shall conform to the standards outlined in article 15: Off-Street Parking Requirements.

5.1.12. *Bufferyard standards.* All uses within this district shall conform to the standards outlined in article 17: Bufferyards. Unless expressly exempted, the buffering standards of this ordinance shall apply to all new nonresidential development and all new residential major subdivisions (15 or more lots).

(Ord. No. 04-11-68, 11-23-2004; Ord. No. 05-08-58, 8-29-2005; Ord. No. 09-04-16, 4-13-2009; Ord. No. 10-08-24, 8-23-2010; Ord. No. 11-04-02, 4-25-2011; Ord. No. 15-01-01, 1-26-2015)

5.2. Multisection manufactured residential district (R1-MM).



5.2.1. Intent.

- A. The R1-MM multisection manufactured residential district is intended to implement the land use goals of the residential growth areas within urbanizing areas in the unincorporated portions of Berkeley County.
- B. This district is intended to:
 - 1. Permit the placement of multisectional manufactured homes within the district.
 - 2. Permit development of moderate density residential communities.
 - 3. Encourage urban communities to develop in a manner that minimizes sprawl patterns.
 - 4. Encourage efficient development patterns and use of in-fill development.
 - 5. Protect development in residential growth areas from infiltration of incompatible land uses.
 - 6. Provide for the development of recreational, religious, and educational facilities as basic elements of a balanced residential area.
 - 7. Permit the location of needed community facilities in support of residential development.

5.2.2. *Location.* This district shall be applied in the residential growth areas mapped on the future land use map in the comprehensive plan. R1-MM residential densities require public water and sewer. Application of this district should be limited to areas planned for or served by public water and sewer.

USES

5.2.3. *Permitted uses.* The following uses are permitted within the R1-MM multisection manufactured residential district:

A. Recreation uses.

1. Indoor recreation.
2. Golf course.
3. Outdoor recreation, active.
4. Outdoor recreation, passive.

B. Institutional uses.

1. Assembly and worship.
2. Government offices, public services, and local utilities.
3. School, neighborhood and community.

C. Residential uses.

1. Single-family detached.

5.2.4. Accessory uses. Accessory uses are permitted as a detached structure or use subordinate to the main building or classification that is used for purposes customarily incidental to the principal use. Accessory uses shall not exceed 65 percent of the size of the principal classification.

The following uses are permitted as accessory uses within the R1 MM multisection manufactured residential district:

A. Residential.

1. Fences and walls;
2. Garages, carports, and off-street parking;
3. Guesthouses, gate houses and guard houses;
4. Playhouses, patios, cabanas, porches, gazebos, and incidental household storage buildings;
5. Radio and television receiving antennas;
6. Recreational and play facilities for the use of residents;
7. Tennis courts, swimming pools, and hot tubs;
8. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

B. Institutional and civic.

1. Cemetery;
2. Refreshment stands and food and beverage sales located in uses involving public assembly;
3. Cafeterias, dining halls, and similar food services when operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
4. Gift shops, newsstands, and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
5. Recreation areas and facilities for the use of the employees;

-
6. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

5.2.5. *Uses permitted with conditions.* The following uses are permitted as conditional uses within the R1-MM multisection manufactured residential district. All listed conditions shall be demonstrated prior to permit approval. See article 11 for the procedure for approval of conditional uses.

A. *Agricultural uses.*

1. Residential chickens.

- a. All conditions and regulations found in article 11.3.4 shall be met prior to permit approval.

B. *Institutional uses.*

1. Family day care home.

- a. All conditions and regulations found in article 11.6 shall be met prior to permit approval.

C. *Residential uses.*

1. Manufactured home.

- a. Manufactured home shall be a doublewide, or a multi-section, manufactured home.
- b. *Minimum size.* Manufactured home shall consist of two or more sections, for assembly at the building site.
- c. *Exterior siding.* Wood, hardboard, vinyl, brick, or aluminum and shall be comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction.
- d. *Roofing material.* Type of shingle that is commonly used in standard residential construction.
- e. *Skirting.* Continuous permanent brick foundation or curtain wall, continuous except for ventilation and access, shall be installed upon a poured concrete footing after placement on the lot, and before occupancy.
- f. The tongue, axles, transporting lights, and removable towing apparatus must be removed after placement on the lot and before occupancy.
- g. Stairs, porches, entrance platforms, ramps and other means of entrance and exit to and from the home shall be installed or constructed in a manner commonly used in standard residential construction and attached firmly to the primary structure and anchored securely to the ground.

2. Home occupation.

- a. Permitted as accessory use only.
- b. All conditions and regulations found in article 11.9 shall be met prior to permit approval.

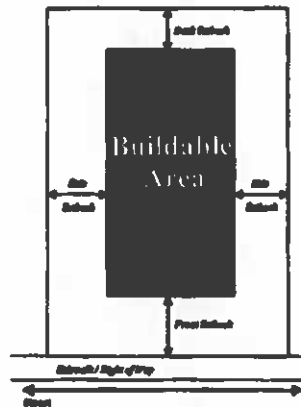
5.2.6. *Special exceptions.* (Reserved)

5.2.7. *Prohibited uses.* The following uses are prohibited within the R1-MM multi-section manufactured residential district.

1. Mobile home park.

2. All uses not listed as permitted are prohibited.

LOT AND BUILDING STANDARDS



5.2.8. Lot requirements.

- A. Minimum lot size.
 1. Public water and sewer available: 14,000 square feet.
 2. Only public sewer available: 14,000 square feet.
 3. Only public water available: 14,000 square feet.
 4. Individual wells and septic tanks: 30,000 square feet.
- B. Minimum lot frontage.
 1. Standard lot: 20 feet.
 2. Corner lot: 40 feet.
- C. Maximum lot development: One primary residential unit/parcel.
- D. Clustering of lots may be permitted by the procedures outlined in Article 13 of the Zoning and Development Standards [Ordinance].
- E. Bonus density may be allowed as set forth in article 13: Bonus Density.

5.2.9. Minimum yard requirements.

Parcel Size	Front (feet)	Sides (feet)	Rear (feet)	Second Street Front (feet)	Open Drainage* (feet)	Ingress/Egress Easements†
14,000 sq. ft. and greater	35	15	30	35	30	Min. required for front, rear, or side
10,000 sq. ft. to 13,999 sq. ft.	30	10	25	30	30	Min. required for front, rear, or side

6,001 sq. ft. to 9,999 sq. ft.	25	7.5	20	25	30	Min. required for front, rear, or side
6,000 sq. ft. and under	20	7.5	20	20	30	Min. required for front, rear, or side

- * This is the minimum setback required for open drainage ditch and/or stormwater pond easement lines (excluding swales).
- † This is the minimum setback from any ingress/egress easement.

Accessory structures are permitted in the rear and side yards only with minimum five-foot setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the accessory structure is placed in that portion of the yard that fronts a second street frontage of the property, the setback from the second street frontage property line for the accessory structure is the required second street frontage setback for the primary structure.

5.2.10. *Building requirements.*

- A. Impervious coverage: 50 percent maximum.
- B. Building height: Less than 40 feet to the highest part of the structure. The height limits contained in the airport overlay district, as regulated by article 10, may apply additional height limitations to a specific piece of property.

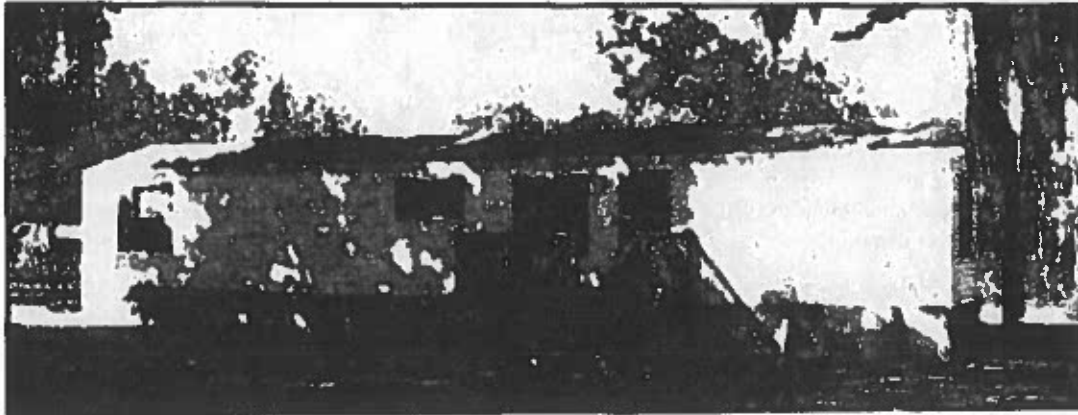
SITE STANDARDS

5.2.11. *Parking standards.* All uses within this district shall conform to the standards outlined in article 15: Off Street Parking Requirements.

5.2.12. *Bufferyard standards.* All uses within this district shall conform to the standards outlined in article 17: Bufferyards. Unless expressly exempted, the buffering standards of this ordinance shall apply to all new nonresidential development and all new residential major subdivisions (15 or more lots).

(Ord. No. 04-11-68, 11-23-2004; Ord. No. 05-08-58, 8-29-2005; Ord. No. 09-04-16, 4-13-2009; Ord. No. 10-08-24, 8-23-2010; Ord. No. 11-04-02, 4-25-2011; Ord. No. 15-01-01, 1-26-2015)

5.3. Manufactured residential district (R2).



5.3.1. *Intent.*

- A. The R2 manufactured residential district is intended to implement the land use goals of the residential growth areas and rural villages within urbanizing areas in the unincorporated portions of Berkeley County.
- B. This district is intended to:
 - 1. Allow manufactured housing in higher density residential areas where public facilities and services are available.
 - 2. To make lower cost housing an available option in designated portions of the county.
 - 3. Encourage urban communities to develop in a manner that minimizes sprawl patterns.
 - 4. Encourage efficient development patterns and use of in-fill development.
 - 5. Minimize development problems in urban areas where infrastructure such as transportation facilities and public water and sewer are either absent or inadequate.
 - 6. Protect development in residential growth areas from infiltration of incompatible land uses.
 - 7. Provide for the development of recreational, religious, and educational facilities as basic elements of a balanced residential area.
 - 8. Permit the location of needed community facilities in support of residential development.

5.3.2. *Location.* This district shall be applied in the residential growth areas and rural villages mapped on the future land use map in the comprehensive plan.

USES

5.3.3. *Permitted uses.* The following uses are permitted within the R2 manufactured residential district:

- A. *Recreation uses.*
 - 1. Golf course.
 - 2. Indoor recreation.
 - 3. Outdoor recreation, active.
 - 4. Outdoor recreation, passive.

B. Institutional uses.

1. Assembly and worship.
2. Government offices, public services, and local utilities.
3. School, neighborhood and community.

C. Residential uses.

1. Single-family detached.
2. Manufactured home.

5.3.4. Accessory uses. Accessory uses are permitted as a detached structure or use subordinate to the main building or classification that is used for purposes customarily incidental to the principal use. Accessory uses shall not exceed 65 percent of the size of the principal classification.

The following uses are permitted as accessory uses within the R2 manufactured residential district:

A. Residential.

1. Fences and walls;
2. Garages, carports, and off-street parking;
3. Guesthouses, gate houses and guard houses;
4. Playhouses, patios, cabanas, porches, gazebos, and incidental household storage buildings;
5. Radio and television receiving antennas;
6. Recreational and play facilities for the use of residents;
7. Tennis courts, swimming pools, and hot tubs;
8. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

B. Institutional and civic.

1. Cemetery;
2. Refreshment stands and food and beverage sales located in uses involving public assembly;
3. Cafeterias, dining halls, and similar food services when operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
4. Gift shops, newsstands, and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
5. Recreation areas and facilities for the use of the employees;
6. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

5.3.5. Uses permitted with conditions. The following uses are permitted as conditional uses within the R2 manufactured single-family residential district. All listed conditions shall be demonstrated prior to permit approval. See article 11 for the procedure for approval of conditional uses.

A. *Agricultural uses.*

1. Residential chickens.

- a. All conditions and regulations found in article 11.3.4 shall be met prior to permit approval.

B. *Institutional uses.*

1. Family day care home.

- a. All conditions and regulations found in article 11.6 shall be met prior to permit approval.

C. *Residential uses.*

1. Home occupation.

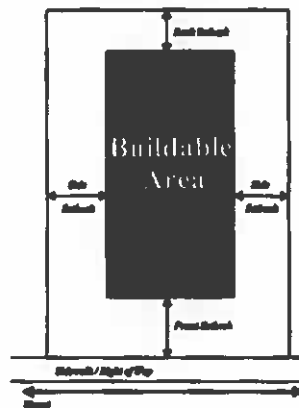
- a. Permitted as accessory use only.
- b. All conditions and regulations found in article 11.9 shall be met prior to permit approval.

5.3.6. *Special exceptions.* (Reserved)

5.3.7. *Prohibited uses.* The following uses are prohibited within the R2 manufactured residential district.

1. Mobile home park.
2. All uses not listed as permitted are prohibited.

LOT AND BUILDING STANDARDS



5.3.8. *Lot requirements.*

A. *Minimum lot size.*

1. Public water and sewer available: 14,000 square feet.
2. Only public sewer available: 14,000 square feet.
3. Only public water available: 14,000 square feet.
4. Individual wells and septic tanks: 30,000 square feet.

B. *Minimum lot frontage.*

1. Standard lot: 20 feet.
2. Corner lot: 40 feet.

C. Clustering of lots may be permitted by the procedures outlined in Article 13 of the Zoning and Development Standards Ordinance.

D. Bonus density may be allowed as set forth in article 13: Bonus Density.

5.3.9. *Density regulations.*

A. Maximum lot development: One primary residential unit/parcel.

5.3.10. *Minimum yard requirements.*

Parcel Size	Front (feet)	Sides (feet)	Rear (feet)	Second Street Front (feet)	Open Drainage* (feet)	Ingress/Egress Easements†
14,000 sq. ft. and greater	35	15	30	35	30	Min. required for front, rear, or side
10,000 sq. ft. to 13,999 sq. ft.	30	10	25	30	30	Min. required for front, rear, or side
6,001 sq. ft. to 9,999 sq. ft.	25	7.5	20	25	30	Min. required for front, rear, or side
6,000 sq. ft. and under	20	7.5	20	20	30	Min. required for front, rear, or side

* This is the minimum setback required for open drainage ditch and/or stormwater pond easement lines (excluding swales).

† This is the minimum setback from any ingress/egress easement.

Accessory structures are permitted in the rear and side yards only with minimum five foot setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the accessory structure is placed in that portion of the yard that fronts a second street frontage of the property, the setback from the second street frontage property line for the accessory structure is the required second street frontage setback for the primary structure.

5.3.11. *Reserved.*

5.3.12. *Building requirements.*

A. Impervious coverage: 50 percent maximum.

B. Building height: Less than 40 feet to the highest part of the structure. The height limits contained in the airport overlay district, as regulated by article 10, may apply additional height limitations to a specific piece of property.

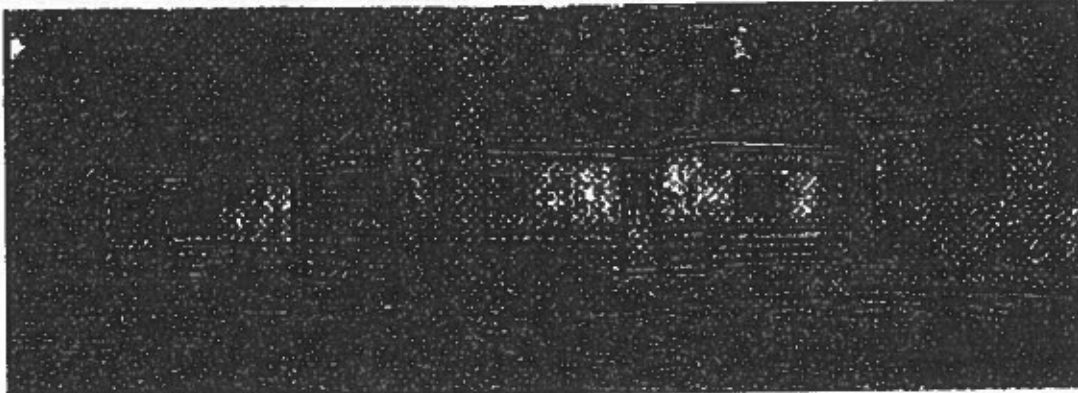
SITE STANDARDS

5.3.13. *Parking standards.* All uses within this district shall conform to the standards outlined in article 15: Off-Street Parking Requirements.

5.3.14. Bufferyard standards. All uses within this district shall conform to the standards outlined in article 17: Bufferyards. Unless expressly exempted, the buffering standards of this ordinance shall apply to all new nonresidential development and all new residential major subdivisions (15 or more lots).

(Ord. No. 04-11-68, 11-23-2004; Ord. No. 05-08-58, 8-29-2005; Ord. No. 09-04-16, 4-13-2009; Ord. No. 10-08-24, 8-23-2010; Ord. No. 11-04-02, 4-25-2011; Ord. No. 15-01-01, 1-26-2015)

5.4. Mobile home park district (R3).



5.4.1. Intent.

- A. The R3 mobile home park district is intended to implement the land use goals of the residential growth areas within urbanizing areas in the unincorporated portions of Berkeley County.
- B. This district is intended to:
 - 1. Regulate the location of mobile homes in the county.
 - 2. Allow manufactured housing in higher density residential areas only where needed public facilities and services are available.
 - 3. Minimize development problems in urban areas where infrastructure such as transportation facilities and public water and sewer are either absent or inadequate.
 - 4. Encourage urban communities to develop in a manner that minimizes sprawl patterns.
 - 5. Encourage efficient development patterns and use of in-fill development.
 - 6. Protect development in residential growth areas from infiltration of incompatible land uses.
 - 7. Provide for the development of recreational, religious, and educational facilities as basic elements of a balanced residential area.
 - 8. Permit the location of needed community facilities in support of residential development.

5.4.2. Location. This district shall be applied in the residential growth areas mapped on the future land use map in the comprehensive plan. R3 residential densities require public water and sewer. Application of this district should be limited to areas planned for or served by public water and sewer.

USES

5.4.3. Permitted uses. The following uses are permitted within the R3 mobile home park district:

- A. *Recreation and amusement uses.*

1. Golf course.
 2. Indoor recreation.
 3. Outdoor recreation, active.
 4. Outdoor recreation, passive.
- B. *Institutional uses.*
1. Assembly and worship.
 2. Government offices, public services, and local utilities.
 3. School, neighborhood and community.
- C. *Residential uses.*
1. Single-family detached.
 2. Manufactured home.

5.4.4. *Accessory uses.* Accessory uses are permitted as a detached structure or use subordinate to the main building or classification that is used for purposes customarily incidental to the principal use. Accessory uses shall not exceed 65 percent of the size of the principal classification.

The following uses are permitted as accessory uses within the R3 mobile home park district:

A. *Residential.*

1. Fences and walls;
2. Garages, carports, and off street parking;
3. On site office;
4. Guesthouses, gate houses and guard houses;
5. Playhouses, patios, cabanas, porches, gazebos, and incidental household storage buildings;
6. Radio and television receiving antennas;
7. Recreational and play facilities for the use of residents;
8. Tennis courts, swimming pools, and hot tubs;
9. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the zoning administrator as a means of ensuring land use compatibility.

B. *Institutional and civic.*

1. Refreshment stands and food and beverage sales located in uses involving public assembly;
2. Cafeterias, dining halls, and similar food services when operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
3. Gift shops, newsstands, and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
4. Recreation areas and facilities for the use of the employees;
5. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any

development and performance standards imposed by the zoning administrator as a means of ensuring land use compatibility.

5.4.5. *Uses permitted with conditions.* The following uses are permitted as conditional uses within the R3 mobile home park district. All listed conditions shall be demonstrated prior to permit approval. See article 11 for the procedure for approval of conditional uses.

A. *Institutional uses.*

1. Family day care home.

- a. All conditions and regulations found in article 11.6 shall be met prior to permit approval.

B. *Residential uses.*

1. Home occupation.

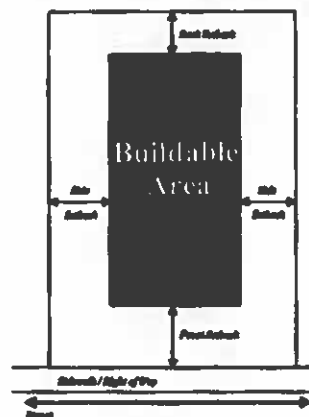
- a. Permitted as accessory use only.
- b. All conditions and regulations found in article 11.9 shall be met prior to permit approval.

5.4.6. *Special exceptions.* (Reserved)

5.4.7. *Prohibited uses.* The following uses are prohibited within the R3 mobile home park district.

1. All uses not listed as permitted are prohibited.

LOT AND BUILDING STANDARDS



5.4.8. *Lot requirements.*

- A. Minimum lot size: Two acres.
- B. Minimum lot frontage: 40 feet.

5.4.9. *Density regulations.*

- A. Maximum density: One unit/4,000 square feet per leased space of net acreage mobile home park.

5.4.10. *Minimum yard requirements.*

- A. Setback from all property lines for mobile homes in mobile home park: 15 feet minimum.
- B. Front yard for single-family detached: 35 feet minimum.
- C. Side yard for single-family detached: 15 feet minimum.

-
- D. Rear yard for single-family detached: 30 feet minimum.
 - E. Second street frontage: Minimum front yard setback.
 - F. Open drainage ditches and/or stormwater ponds (excluding swales): 30 feet minimum.
 - G. Ingress/egress easements: The minimum footage stated above for front, side, or rear.
 - H. Accessory structures are permitted in the rear and side yards only with minimum five-foot setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the accessory structure is placed in that portion of the yard that fronts a second street frontage of the property, the setback from the second street frontage property line for the accessory structure is the required second street frontage setback for the primary structure.

5.4.11. *Unit separation.* The minimum distance between dwelling units shall be:

- A. Side to side: 15 feet minimum.
- B. Front to front or rear: 15 feet minimum.
- C. Rear to rear: 15 feet minimum.

5.4.12. *Building requirements.*

- A. Impervious coverage: 50 percent maximum.
- B. Building height: Less than 40 feet to the highest part of the structure. The height limits contained in the airport overlay district, as regulated by article 10, may apply additional height limitations to a specific piece of property.

SITE STANDARDS

5.4.13. *Parking standards.* All uses within this district shall conform to the standards outlined in article 15: Off-Street Parking Requirements.

5.4.14. *Bufferyard standards.* All uses within this district shall conform to the standards outlined in article 17: Bufferyards.

5.4.15. *Access management.* Mobile home park shall be limited to one curb cut per every 100 feet linear frontage of road frontage.

5.4.16. *Internal streets.* Adequate access shall be provided to all spaces and facilities for common use within the park that conform to the following standards.

- A. Street width: 22 feet minimum.
- B. Street surface: As approved by county engineer.
- C. Street shall be privately owned and maintained.

5.4.17. *Site plan.* All proposed mobile home park developments shall provide a site plan to the county that includes, at minimum, the following information:

- A. Name of mobile home park, ownership, name of developer, north arrow, location map.
- B. Plat of parcel showing property boundaries and existing easements and rights-of-way.
- C. Identification of each trailer lot or space.
- D. Access points and internal streets.
- E. Identification of existing vegetation within buffer.
- F. Location of buffers as specified in article 17.

G. Location of parking.

(Ord. No. 04-11-68, 11-23-2004; Ord. No. 05-08-58, 8-29-2005; Ord. No. 10-08-24, 8-23-2010; Ord. No. 11-04-02, 4-25-2011)

5.5. Multifamily residential district small-scale (R4).



5.5.1. Intent.

- A. The R4 multifamily residential district (small-scale) is intended to implement the land use goals of the residential growth areas within urbanizing areas in the unincorporated portions of Berkeley County.
- B. Primary uses intended for this district include duplexes, townhouses, and patio homes.
- C. This district is intended to:
 - 1. Allow higher density residential development in areas where public facilities and services are available.
 - 2. Minimize development problems in urban areas where infrastructure such as transportation facilities and public water and sewer are either absent or inadequate.
 - 3. Encourage urban communities to develop in a manner that minimizes sprawl patterns.
 - 4. Encourage efficient development patterns and use of in-fill development.
 - 5. Protect development in residential growth areas from infiltration of incompatible land uses.
 - 6. Provide for the development of recreational, religious, and educational facilities as basic elements of a balanced residential area.
 - 7. Permit the location of needed community facilities in support of residential development.

5.5.2 Location. This district shall be applied in the residential growth areas mapped on the future land use map in the comprehensive plan. R4 residential densities require public water and sewer. Application of this district should be limited to areas planned for or served by public water and sewer.

USES

5.5.3. *Permitted uses.* The following uses are permitted within the R4 multifamily residential district (small-scale):

A. *Recreation and amusement uses.*

1. Golf course.
2. Indoor recreation.
3. Outdoor recreation, active.
4. Outdoor recreation, passive.

B. *Institutional uses.*

1. Assembly and worship.
2. Government offices, public services, and local utilities.
3. School, neighborhood and community.

C. *Residential uses.*

1. Single family detached.
2. Townhouse/single family attached.
3. Patio home.
4. Duplex.
5. Triplex.
6. Quadruplex.

5.5.4. *Accessory uses.* Accessory uses are permitted as a detached structure or use subordinate to the main building or classification that is used for purposes customarily incidental to the principal use. Accessory uses shall not exceed 65 percent of the size of the principal classification.

The following uses are permitted as accessory uses within the R4 multifamily residential district (small-scale):

A. *Residential.*

1. Fences and walls;
2. Garages, carports, and off-street parking;
3. Guesthouses, gate houses and guard houses;
4. Playhouses, patios, cabanas, porches, gazebos, and incidental household storage buildings;
5. Radio and television receiving antennas;
6. Recreational and play facilities for the use of residents;
7. Tennis courts, swimming pools, and hot tubs;
8. Other necessary and customary uses determined by the planning director to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

B. *Institutional and civic.*

1. Refreshment stands and food and beverage sales located in uses involving public assembly;

-
2. Cafeterias, dining halls, and similar food services when operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
 3. Gift shops, newsstands, and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
 4. Recreation areas and facilities for the use of the employees;
 5. Other necessary and customary uses determined by the planning director to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

5.5.5. *Uses permitted with conditions.* The following uses are permitted as conditional uses within the R4 multifamily residential district (small-scale). All listed conditions shall be demonstrated prior to permit approval. See article 11 for the procedure for approval of conditional uses.

A. *Institutional uses.*

1. Family day care home.
 - a. All conditions and regulations found in article 11.6 shall be met prior to permit approval.
2. Institutional, residential.
 - a. Maximum occupancy of nine persons per unit.
 - b. Off-street parking must be provided in accordance with article 15 as a hospital and clinic use.
 - c. Business and retail buffers must be provided in accordance with article 17 and any overlay standards must be met.

B. *Residential uses.*

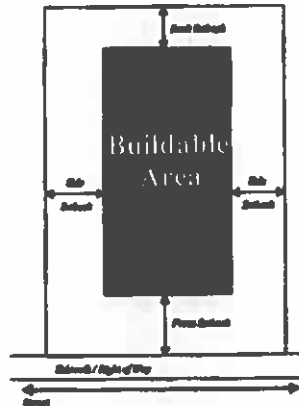
1. Home occupation.
 - a. Permitted as accessory use only.
 - b. All conditions and regulations found in article 11.9 shall be met prior to permit approval.

5.5.6. *Special exceptions.* (Reserved)

5.5.7. *Prohibited uses.* The following uses are prohibited within the R4 multifamily residential district (small-scale):

1. All uses not listed as permitted are prohibited.

LOT AND BUILDING STANDARDS



5.5.8. Lot requirements.

- A. Minimum lot size: 15 acres.

For fee simple lots (i.e. single family attached), see Density regulations and Minimum yard requirements, below.

- B. Minimum lot frontage:

1. Standard lot: 20 feet.
2. Corner lot: 40 feet.

5.5.9. Density regulations.

- A. Maximum density: Seven dwelling units per acre, based on gross acreage.
- B. Innovative site design, qualifying for density bonus, may be permitted as subject to the conditions and requirements established in section 13.2, for subdivision of attached units or buildings into individual lots, or section 13.11 for multi-family single site development, as applicable.

5.5.10. Minimum yard requirements. The minimum setbacks for single family attached:

- A. Front yard: 35 feet.
- B. Sides: Ten feet, unless attached and a zero foot shall be allowed for a common wall.
- C. Rear yard: 20 feet
- D. Second street frontage: 25 feet.
- E. Open drainage: 30 feet from easement line.
- F. Ingress/egress: Minimum required for front, side or rear.

Accessory structures are permitted in the rear and side yards only with minimum of five foot setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the accessory structure is placed in that portion of the yard that fronts a second street frontage of the property, the setback from the second street frontage property line for the accessory structure is the required second street frontage setback for the primary structure.

5.5.11. Unit separation. The minimum distance between dwelling units shall be:

- A. Side to side: 15 feet minimum.
- B. Front to front or rear: 15 feet minimum.

- C. Rear to rear: 15 feet minimum.

5.5.12. Building requirements.

- A. Impervious coverage: 50 percent maximum.
- B. Building height: Less than 40 feet to the highest part of the structure. The height limits contained in the airport overlay district, as regulated by article 10, may apply additional height limitations to a specific piece of property.

SITE STANDARDS

5.5.13. Parking standards. All uses within this district shall conform to the standards outlined in article 15: Off-Street Parking Requirements.

5.5.14. Bufferyard standards. All uses within this district shall conform to the standards outlined in article 17: Bufferyards.

5.5.15. Subdivision of multifamily units. Where attached units, patio homes, and/or duplex, triplex, and/or quadraplex buildings are to be subdivided into individual lots, the following provisions shall apply:

- A. Preliminary plan shall be prepared, submitted, and reviewed in accordance with the standards and requirements set forth in chapter 59, The Land Development and Subdivision Regulations of Berkeley County.
- B. Where dwelling units are subdivided into individual lots, lot lines shall conform to centerline walls dividing individual units.
- C. Townhouses, patio homes, duplexes, triplexes, and quadraplexes shall have front and rear yards.
- D. Streets must meet the requirements of chapter 59, The Land Development and Subdivision Regulations of Berkeley County.
- E. Publicly maintained streets must be designed with limited access (no individual driveways) and have common parking areas located outside the right-of-way, or have typical lot widths of 40 feet or greater.

5.5.16. Internal streets. Where property is not to be subdivided the following standards shall be used to access provided adequate access to all residential units and facilities for common use within the development.

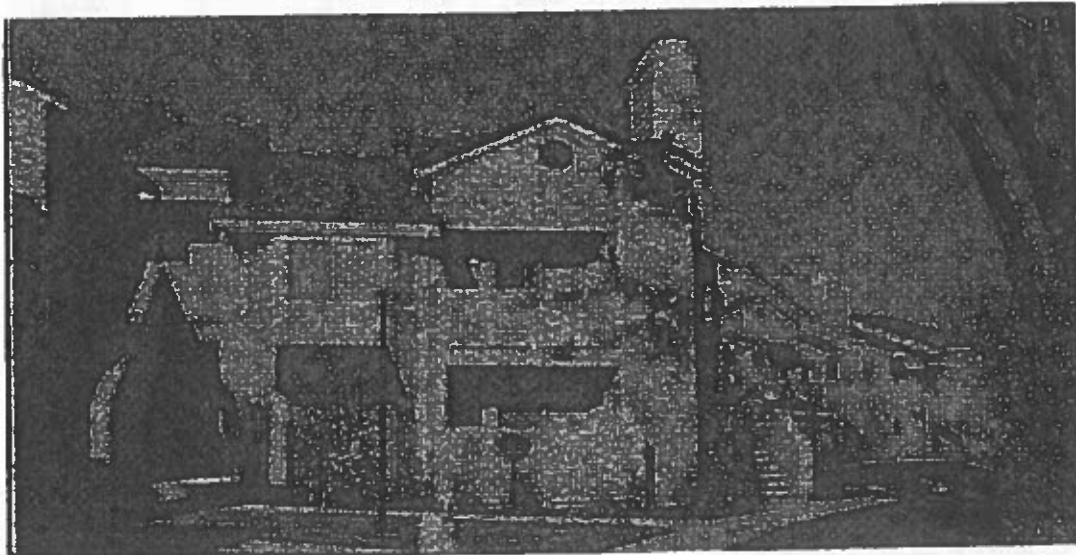
- A. Street width: 22 feet minimum.
- B. Street surface: As approved by county engineer.
- C. Street shall be privately owned and maintained.

5.5.17. Single-site development (site) plan. A single-site development (site) plan, when required, shall be prepared and submitted in accordance with the processes and requirements established in chapter 59, The Land Development and Subdivision Regulations of Berkeley County, is required to be reviewed and, and upon demonstrated conformance to all applicable standards, approved prior to commencement of development and/or redevelopment activities. The plan shall also include, at a minimum, the following information.

- A. The Single-Site Development (Site) Plan shall also demonstrate conformance to applicable conditional use standards contained herein or specified in article 11.
- B. The single-site development (site) plan shall accompany any necessary supporting documentation or materials required for submittal, review, and/or approval per chapter 59.

(Ord. No. 04-11-68, 11-23-2004; Ord. No. 05-08-58, 8-29-2005; Ord. No. 09-04-16, 4-13-2009; Ord. No. 10-08-24, 8-23-2010; Ord. No. 11-04-02, 4-25-2011; Ord. No. 21-05-24, 5-24-2021)

5.6. Multifamily residential district (large-scale) (R5).



5.6.1. Intent.

- A. The R5 multifamily residential district (large-scale) is intended to implement the land use goals of the residential growth areas within urbanizing areas in the unincorporated portions of Berkeley County.
- B. Primary uses intended for this district are multifamily apartment complexes.
- C. This district is intended to:
 - 1. Allow higher density residential development in areas where needed public facilities and services are available.
 - 2. Minimize development problems in urban areas where infrastructure such as transportation facilities and public water and sewer are either absent or inadequate.
 - 3. Encourage urban communities to develop in a manner that minimizes sprawl patterns.
 - 4. Encourage efficient development patterns and use of in-fill development.
 - 5. Protect development in residential growth areas from infiltration of incompatible land uses.
 - 6. Provide for the development of recreational, religious, and educational facilities as basic elements of a balanced residential area.
 - 7. Permit the location of needed community facilities in support of residential development.

5.6.2. *Location.* This district shall be applied in the residential growth areas mapped on the future land use map in the comprehensive plan. R5 residential densities require public water and sewer. Application of this district should be limited to areas planned for or served by public water and sewer.

USES

5.6.3. *Permitted uses.* The following uses are permitted within the R5 multifamily residential district (large-scale):

- A. *Recreation and amusement uses.*

-
1. Golf course.
 2. Indoor recreation.
 3. Outdoor recreation, active.
 4. Outdoor recreation, passive.
- B. Institutional uses.**
1. Assembly and worship.
 2. Government offices, public services, and local utilities.
 3. School, neighborhood and community.
- C. Residential uses.**
1. Single family detached.
 2. Townhouse/single family attached.
 3. Patio home.
 4. Duplex.
 5. Triplex.
 6. Quadriplex.
 7. Multifamily.

5.6.4. Accessory uses. Accessory uses are permitted as a detached structure or use subordinate to the main building or classification that is used for purposes customarily incidental to the principal use. Accessory uses shall not exceed 65 percent of the size of the principal classification.

The following uses are permitted as accessory uses within the R5 multifamily residential district (large scale):

- A. Residential.**
1. Fences and walls;
 2. Garages, carports, and off-street parking;
 3. On-site office;
 4. Guesthouses, gate houses and guard houses;
 5. Playhouses, patios, cabanas, porches, gazebos, and incidental household storage buildings;
 6. Radio and television receiving antennas;
 7. Recreational and play facilities for the use of residents;
 8. Tennis courts, swimming pools, and hot tubs;
 9. Other necessary and customary uses determined by the planning director to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.
- B. Institutional and civic.**
1. Refreshment stands and food and beverage sales located in uses involving public assembly;

-
2. Cafeterias, dining halls, and similar food services when operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
 3. Gift shops, newsstands, and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
 4. Recreation areas and facilities for the use of the employees;
 5. Other necessary and customary uses determined by the planning director to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

5.6.5. *Uses permitted with conditions.* The following uses are permitted as conditional uses within the R5 multifamily residential district (large-scale). All listed conditions shall be demonstrated prior to permit approval. See article 11 for the procedure for approval of conditional uses.

A. *Institutional uses.*

1. Family day care home.
 - a. All conditions and regulations found in article 11.6 shall be met prior to permit approval.
2. Institutional, residential.
 - a. Maximum occupancy of nine persons per unit.
 - b. Off-street parking must be provided in accordance with article 15 as a hospital and clinic use.
 - c. Business and retail buffers must be provided in accordance with article 17 and any overlay standards must be met.

B. *Residential uses.*

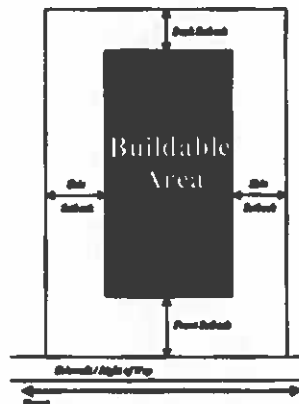
1. Home occupation.
 - a. Permitted as accessory use only.
 - b. All conditions and regulations found in article 11.9 shall be met prior to permit approval.

5.6.6. *Special exceptions.* (Reserved)

5.6.7. *Prohibited uses.* The following uses are prohibited within the R5 multifamily residential district (large-scale).

1. All uses not listed as permitted are prohibited.

LOT AND BUILDING STANDARDS



5.6.8. Lot requirements.

- A. Minimum lot size: 30 acres.

For fee simple lots (i.e. single-family attached), see Density regulations and Minimum yard requirements, below.

- B. Minimum lot frontage:

1. Standard lot: 50 feet.
2. Corner lot: 100 feet.

5.6.9. Density regulations.

- A. Maximum density: Ten dwelling units per acre, based on gross acreage.
- B. Innovative site design, qualifying for density bonus, may be permitted as subject to the conditions and requirements established in section 13.2, for subdivision of attached units or buildings into lots, or section 13.11 for multi-family single site development, as applicable.

5.6.10. Minimum yard requirements. The minimum setbacks for multifamily shall be:

- A. Front yard: 35 feet.
- B. Sides: 15 feet.
- C. Rear yard: 30 feet.
- D. Second street frontage: 35 feet.
- E. Open drainage: 30 feet from easement line.
- F. Ingress/egress: Minimum required for front, side or rear.

The minimum setbacks for single-family attached shall be:

- A. Front yard: 35 feet.
- B. Sides: Ten feet, unless attached and a zero foot shall be allowed for a common wall.
- C. Rear yard: 20 feet.
- D. Second street frontage: 25 feet.
- E. Open drainage: 30 feet.
- F. Ingress/egress: Minimum required for front, side or rear.

Accessory structures are permitted in the rear and side yards only with minimum of five-foot setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the accessory structure is placed in that portion of the yard that fronts a second street frontage of the property, the setback from the second street frontage property line for the accessory structure is the required second street frontage setback for the primary structure.

5.6.11. *Unit separation.* The minimum distance between dwelling units shall be:

- A. Side to side: 15 feet minimum.
- B. Front to front or rear: 15 feet minimum.
- C. Rear to rear: 15 feet minimum.

5.6.12. *Building requirements.*

- A. Impervious coverage: 50 percent maximum.
- B. Building height will be governed by the current adopted Building Codes of Berkeley County and as stated herein. After the height limitations are reviewed, the building and/or zoning official may impose additional restrictions. During the required planning and code review, the official will give consideration to the design of the structure(s) and the county's abilities to gain adequate access for firefighting personnel and that such building is designed or is equipped to provide adequate protection against the dangers of fire, and/or that such building is served by an internal fire service organization. The applicant shall incorporate building techniques and safety features as necessary to demonstrate capacity to handle unforeseeable emergencies (such as fires) to the satisfaction of the fire marshal or designee. Building height will be held to a base height of 40 feet.
 - 1. Height bonus: Increases in height may be issued at the discretion of the zoning administrator or his/her designee in the increments specified below to a maximum building height of 55 feet in accordance with the following parameters. Proposals for height bonuses shall be evaluated as part of site and building plans review; the zoning administrator or his/her designee, retains the ability to request any supporting documentation necessary to complete his/her review.
 - a. Where perimeter bufferyards are required, if the applicant provides perimeter bufferyards that are twice the width and contain twice the quantity of plantings minimally required along each perimeter lot line or, in cases where no perimeter bufferyards are required, if the applicant provides perimeter bufferyards along the adjoining lot line(s) that are equivalent to the Type C bufferyard per article 17.7, add two and one-half feet in allowable height.
 - b. Should the proposed structure be designed to LEED Certification, add three feet to allowable height; LEED Silver Certification, add six feet to the allowable height; LEED Gold Certification, add nine feet to the allowable height; and LEED Platinum Certification, add 12 feet to the allowable height. Assurances of certification eligibility will be required before the single-site development (site) plans are approved, and applicable building permits issued.
 - c. For every ten percent reduction in impervious surface coverage below the required maximum impervious coverage threshold, through creative site design, land setbacks, and/or installation of bona fide low-impact development (LID) techniques based on the "Low Impact Development in Coastal South Carolina: A Planning and Design Guide" or otherwise acceptable technical guidance, add four feet to the allowable height to a maximum of 12 feet. The zoning administrator or his/her designee retains the ability to request assurances to ensure perpetual maintenance, preservation, and functionality of said improvements and/or setbacks.

- d. If pedestrian facilities, constructed to a minimum unobstructed width of five feet and compliant to ADA specifications, are provided throughout and connect the intended use(s) to existing and/or proposed sidewalk facilities within the public right-of-way and adjoining properties, add two and one-half feet to the allowable height.
 - e. If cross accesses and/or shared accesses are provided to neighboring properties, allowing access to adjoining properties without utilizing adjoining public roadways, add two and one-half feet to the allowable height.
 - f. If street trees are provided and maintained in accordance with the Berkeley County Street Tree Planting Standards Manual along all streets or primary access drives proposed to serve the development, add two and one-half feet to the allowable height.
2. The height limits contained in the airport overlay district, as regulated by article 10, may apply additional height limitations to a specific piece of property.

SITE STANDARDS

5.6.13. *Parking standards.* All uses within this district shall conform to the standards outlined in article 15: Off-Street Parking Requirements.

5.6.14. *Bufferyard standards.* All uses within this district shall conform to the standards outlined in article 17: Bufferyards.

5.6.15. *Subdivision of multifamily units.* Where attached units, patio homes, and/or duplex, triplex, and/or quadraplex buildings are to be subdivided into individual lots, the following provisions shall apply:

- A. Preliminary plan shall be prepared, submitted, and reviewed in accordance with the standards and requirements set forth in chapter 59, The Land Development and Subdivision Regulations of Berkeley County.
- B. Where dwelling units are subdivided into individual lots, lot lines shall conform to centerline walls dividing individual units.
- C. Townhouses, patio homes, duplexes, triplexes, and quadraplexes shall have front and rear yards.
- D. Streets must meet the requirements of chapter 59, The Land Development and Subdivision Regulations of Berkeley County.
- E. Publicly maintained streets must be designed with limited access (no individual driveways) and have common parking areas located outside the right-of-way, or have typical lot widths of 40 feet or greater.

5.6.16. *Internal streets.* Where property is not to be subdivided the following standards shall be used to access provided adequate access to all residential units and facilities for common use within the development.

- A. Street width: 22 feet minimum.
- B. Street surface: As approved by county engineer.
- C. Street shall be privately owned and maintained.

5.6.17. *Single-site development (site) plan.* A single-site development (site) plan, prepared and submitted in accordance with the processes and requirements established in chapter 59, The Land Development and Subdivision Regulations of Berkeley County, is required to be reviewed and, upon demonstrated conformance to all applicable standards, approved prior to commencement of development and/or redevelopment activities. The plan shall also include, at a minimum, the following information.

- A. The single-site development (site) plan shall also demonstrate conformance to applicable conditional use standards contained herein or specified in article 11.

- B. The single-site development (site) plan shall accompany any necessary supporting documentation or materials required for submittal, review, and/or approval per chapter 59.

(Ord. No. 04-11-68, 11-23-2004; Ord. No. 05 08 58, 8 29 2005; Ord. No. 09-04 16, 4-13-2009; Ord. No. 10-08 24, 8-23-2010; Ord. No. 11-04-02, 4-25-2011; Ord. No. 21 05 24, 5 24-2021)

Editor's note(s)—Ord. No. 07 07 43, adopted July 23, 2007, renumbered § 17.2 as 17.3, therefore the above internal reference has been changed to reflect the renumbering.

ARTICLE 6. RURAL ZONING DISTRICTS

6.1. Rural single-family residential district (R1-R).



6.1.1. Intent.

- A. The R1-R rural single-family district is intended to implement the land use goals of the rural village areas and residential growth areas within rural areas in the unincorporated portions of Berkeley County. Rural village areas are areas that have an identity and represent the heritage of development patterns in Berkeley County's rural landscape.
- B. This district is intended to:
1. Encourage development within the rural village areas as an alternative to other developing agricultural areas of the county by allowing a broader range of land uses at a higher density than permitted in surrounding rural areas.
 2. Protect and enhance existing character of rural villages.
 3. Encourage efficient development patterns and use of in fill development.
 4. Minimize development problems in areas where, due to the absence of urban infrastructure, individual on-site sewage disposal systems are necessary.
 5. Protect development in rural village areas from infiltration of incompatible land uses.

-
6. Provide for the development of recreational, religious, and educational facilities as basic elements of a balanced residential area.
 7. Permit the location of needed community facilities in support of residential development.

6.1.2. *Location.* This district shall be applied in the rural village areas and residential growth areas mapped on the future land use map in the comprehensive plan.

USES

6.1.3. *Permitted uses.* The following uses are permitted within the R1-R rural single-family district:

A. *Agricultural uses.*

1. Agriculture, crop.
2. Forestry.

B. *Recreation and amusement uses.*

1. Golf course.
2. Indoor recreation.
3. Outdoor recreation, active.
4. Outdoor recreation, passive.

C. *Institutional uses.*

1. Assembly and worship.
2. Government office, public services, and local utilities.
3. School, neighborhood and community.

D. *Residential uses.*

1. Single-family detached.

6.1.4 *Accessory uses.* Accessory uses are permitted as a detached structure or use subordinate to the main building or classification that is used for purposes customarily incidental to the principal use. Accessory uses shall not exceed 65 percent of the size of the principal classification; excluding agricultural uses and uses located on parcels one acre in size or larger.

The following uses are permitted as accessory uses within the R1-R rural single family district:

A. *Agricultural*

1. Sale of products produced on-site;
2. Accessory agricultural uses shall include all residential accessory uses and those accessory uses and activities customarily associated with agricultural operations, as determined by the zoning administrator. Barns and farm-related structures, including roadside stands selling sweet grass baskets or indigenous produce grown or produced on the farm where the roadside stand is located, shall be allowed in all parcels in Agricultural zoning districts.

B. *Residential.*

1. Fences and walls;
2. Garages, carports, and off-street parking;
3. Guesthouses, gate houses and guard houses;

4. Playhouses, patios, cabanas, porches, gazebos, and incidental household storage buildings;
5. Radio and television receiving antennas;
6. Recreational and play facilities for the use of residents;
7. Tennis courts, swimming pools, and hot tubs;
8. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

C. *Institutional and civic.*

1. Cemetery;
2. Refreshment stands and food and beverage sales located in uses involving public assembly;
3. Cafeterias, dining halls, and similar food services when operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
4. Gift shops, newsstands, and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
5. Recreation areas and facilities for the use of the employees;
6. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

6.1.5. *Uses permitted with conditions.* The following uses are permitted as conditional uses within the R1-R rural single family district. All listed conditions shall be demonstrated prior to permit approval. See article 11 for the procedure for approval of conditional uses.

A. *Agricultural uses.*

1. Agriculture, horses only.
 - a. All conditions and regulations found in article 11.3 shall be met prior to permit approval.

B. *Institutional uses.*

1. Family day care home.
 - a. All conditions and regulations found in article 11.6 shall be met prior to permit approval.

C. *Residential uses.*

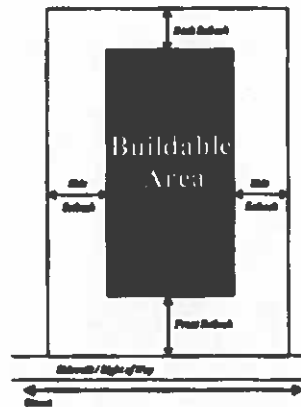
1. Home occupation.
 - a. Permitted as accessory use only.
 - b. All conditions and regulations found in article 11.9 shall be met prior to permit approval.

6.1.6. *Special exceptions.* (Reserved)

6.1.7. *Prohibited uses.* The following uses are prohibited within the R1-R rural single-family district.

1. Mobile home park.
2. All uses not listed as permitted are prohibited.

LOT AND BUILDING STANDARDS



6.1.8. Lot requirements.

- A. Minimum lot size: Two acres.
- B. Minimum lot frontage:
 - 1. Standard lot: 20 feet.
 - 2. Corner lot: 40 feet.
- C. Clustering of lots may be permitted by the procedures outlined in Article 13 of the Zoning and Development Standards Ordinance.

6.1.9. Density regulations.

- A. There shall be no more than one principal dwelling unit per one acre (43,560 square feet) of platted land, lot, or parcel.

6.1.10. Minimum yard requirements.

Parcel Size	Front (feet)	Sides (feet)	Rear (feet)	Second Street Front (feet)	Open Drainage* (feet)	Ingress/Egress Easements†
14,000 sq. ft. and greater	35	15	30	35	30	Min. required for front, rear, or side
10,000 sq. ft. to 13,999 sq. ft.	30	10	25	30	30	Min. required for front, rear, or side
6,001 sq. ft. to 9,999 sq. ft.	25	7.5	20	25	30	Min. required for front, rear, or side
6,000 sq. ft. and under	20	7.5	20	20	30	Min. required for front, rear, or side

- This is the minimum setback required for open drainage ditch and/or stormwater pond easement lines (excluding swales).
- † This is the minimum setback from any ingress/egress easement.

Accessory structures are permitted in the rear and side yards only with minimum of five foot setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the accessory structure is placed in that portion of the yard that fronts a second street frontage of the property, the setback from the second street frontage property line for the accessory structure is the required second street frontage setback for the primary structure. Agricultural structures shall not be less than 60 feet from the property line.

6.1.11. *Building requirements.*

- A. Impervious coverage: 50 percent maximum.
- B. Building height: Less than 40 feet to the highest part of the structure. The height limits contained in the airport overlay district, as regulated by article 10, may apply additional height limitations to a specific piece of property.

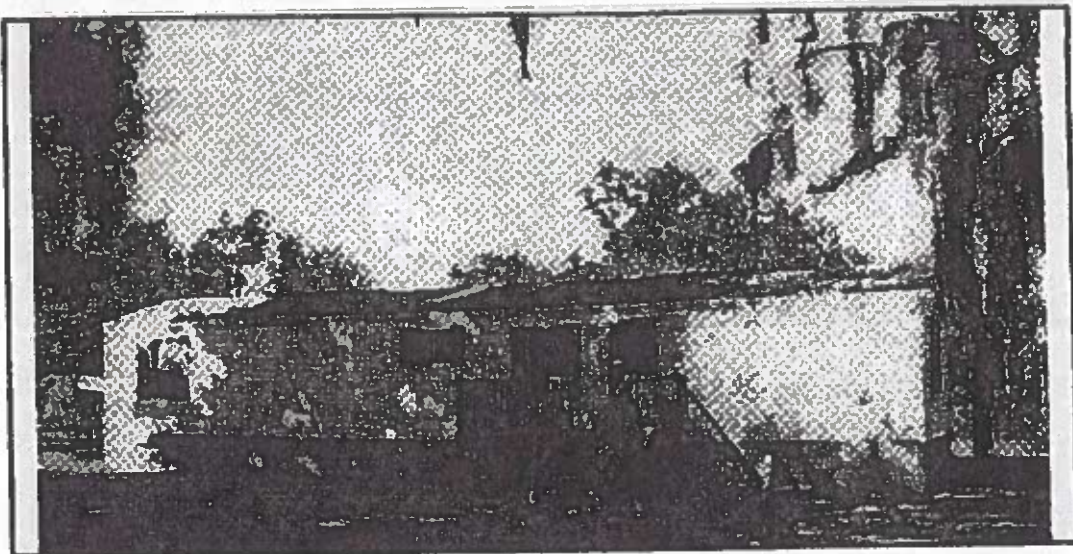
SITE STANDARDS

6.1.12. *Parking standards.* All uses within this district shall conform to the standards outlined in article 15: Off-Street Parking Requirements.

6.1.13. *Bufferyard standards.* All uses within this district shall conform to the standards outlined in article 17: Bufferyards. Unless expressly exempted, the buffering standards of this ordinance shall apply to all new nonresidential development and all new residential major subdivisions (15 or more lots).

(Ord. No. 04-11-68, 11-23-2004; Ord. No. 05-08-58, 8-29-2005; Ord. No. 09-04-16, 4-13-2009; Ord. No. 10-08-24, 8-23-2010; Ord. No. 11-04-02, 4-25-2011; Ord. No. 14-03-04, 3-24-2014)

6.2. Rural manufactured residential district (R2-R).



6.2.1. *Intent.*

-
- A. The R2-R rural manufactured residential district is intended to implement the land use goals of the rural settlement areas, rural village areas and residential growth areas within rural areas in the unincorporated portions of Berkeley County. Rural settlement areas are residential areas that act as transition areas between agricultural lands and urbanizing portions of the county. Rural village areas are areas that have an identity and represent the heritage of development patterns in Berkeley County's rural landscape.
- B. This district is intended to:
1. Encourage development within the rural village areas as an alternative to other developing agricultural areas of the county by allowing a broader range of land uses at a higher density than permitted in surrounding rural areas.
 2. Protect and enhance existing character of the rural area.
 3. Encourage efficient development patterns and use of in-fill development.
 4. Minimize development problems in areas where, due to the absence of urban infrastructure, individual on-site sewage disposal systems are necessary.
 5. Implement the comprehensive plan regarding the location of manufactured home dwellings and neighborhoods in predominantly rural or designated low-density areas.
 6. Minimize development problems in such areas where due to the absence of urban infrastructure, individual on-site sewage disposal systems are necessary.
 7. Protect development in these areas from infiltration of incompatible land uses.
 8. Provide for the development of recreational, religious, and educational facilities as basic elements of a balanced residential area.
 9. Permit the location of needed community facilities in support of residential development.

6.2.2. *Location.* This district shall be applied in the rural settlement areas, rural village areas and residential growth areas mapped on the future land use map in the comprehensive plan.

USES

6.2.3. *Permitted uses.* The following uses are permitted within the R2 R rural manufactured single family district:

- A. *Agricultural uses.*
1. Agriculture, crop.
 2. Forestry.
- B. *Recreation and amusement uses.*
1. Golf course.
 2. Indoor recreation.
 3. Outdoor recreation, active.
 4. Outdoor recreation, passive.
- C. *Institutional uses.*
1. Assembly and worship.
 2. Government office, public services, and local utilities.

3. School, neighborhood and community.

D. *Residential uses.*

1. Single-family detached.
2. Manufactured home.

6.2.4 Accessory uses. Accessory uses are permitted as a detached structure or use subordinate to the main building or classification that is used for purposes customarily incidental to the principal use. Accessory uses shall not exceed 65 percent of the size of the principal classification; excluding agricultural uses and uses located on parcels one acre in size or larger.

The following uses are permitted as accessory uses within the R2-R rural manufactured district:

A. *Agricultural.*

1. Sale of products produced on-site;
2. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

B. *Residential.*

1. Fences and walls;
2. Garages, carports, and off-street parking;
3. Guesthouse, gate houses and guard houses;
4. Playhouses, patios, cabanas, porches, gazebos, and incidental household storage buildings;
5. Radio and television receiving antennas;
6. Recreational and play facilities for the use of residents;
7. Tennis courts, swimming pools, and hot tubs;
8. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

C. *Institutional and civic.*

1. Cemetery;
2. Refreshment stands and food and beverage sales located in uses involving public assembly;
3. Cafeterias, dining halls, and similar food services when operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
4. Gift shops, newsstands, and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
5. Recreation areas and facilities for the use of the employees;
6. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

6.2.5. *Uses permitted with conditions.* The following uses are permitted as conditional uses within the R2-R rural manufactured [district]. All listed conditions shall be demonstrated prior to permit approval. See article 11 for the procedure for approval of conditional uses.

A. *Agricultural uses.*

1. Agriculture, horses only.

- a. All conditions and regulations found in article 11.3 shall be met prior to permit approval.

B. *Institutional uses.*

1. Family day care home.

- a. All conditions and regulations found in article 11.6 shall be met prior to permit approval.

C. *Residential uses.*

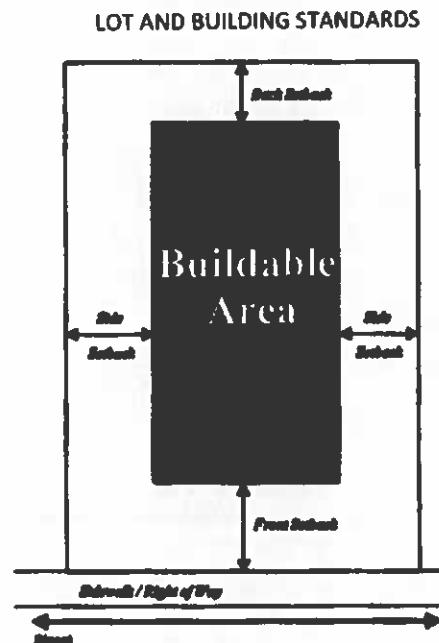
1. Home occupation.

- a. Permitted as accessory use only.
- b. All conditions and regulations found in article 11.9 shall be met prior to permit approval.

6.2.6. *Special exceptions.* (Reserved)

6.2.7. *Prohibited uses.* The following uses are prohibited within the R2-R rural manufactured district.

1. Mobile home park.
2. All uses not listed as permitted are prohibited.



6.2.8. *Lot requirements.*

- A. Minimum lot size: Two acres.
- B. Minimum lot frontage:

1. Standard lot: 20 feet.

2. Corner lot: 40 feet.

6.2.9. *Density regulations.*

A. There shall be no more than one principal dwelling unit per one acre (43,560 square feet) of platted land, lot, or parcel.

6.2.10. *Minimum yard requirements.*

Parcel Size	Front (feet)	Sides (feet)	Rear (feet)	Second Street Front (feet)	Open Drainage* (feet)	Ingress/Egress Easements†
14,000 sq. ft. and greater	35	15	30	35	30	Min. required for front, rear, or side
10,000 sq. ft. to 13,999 sq. ft.	30	10	25	30	30	Min. required for front, rear, or side
6,001 sq. ft. to 9,999 sq. ft.	25	7.5	20	25	30	Min. required for front, rear, or side
6,000 sq. ft. and under	20	7.5	20	20	30	Min. required for front, rear, or side

* This is the minimum setback required for open drainage ditch and/or stormwater pond easement lines (excluding swales).

† This is the minimum setback from any ingress/egress easement.

Accessory structures are permitted in the rear and side yards only with minimum of five foot setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the accessory structure is placed in that portion of the yard that fronts a second street frontage of the property, the setback from the second street frontage property line for the accessory structure is the required second street frontage setback for the primary structure. Agricultural structures shall not be less than 60 feet from the property line.

6.2.11. *Building requirements.*

A. Impervious coverage: 50 percent maximum.

B. Building height: Less than 40 feet to the highest part of the structure. The height limits contained in the airport overlay district, as regulated by article 10, may apply additional height limitations to a specific piece of property.

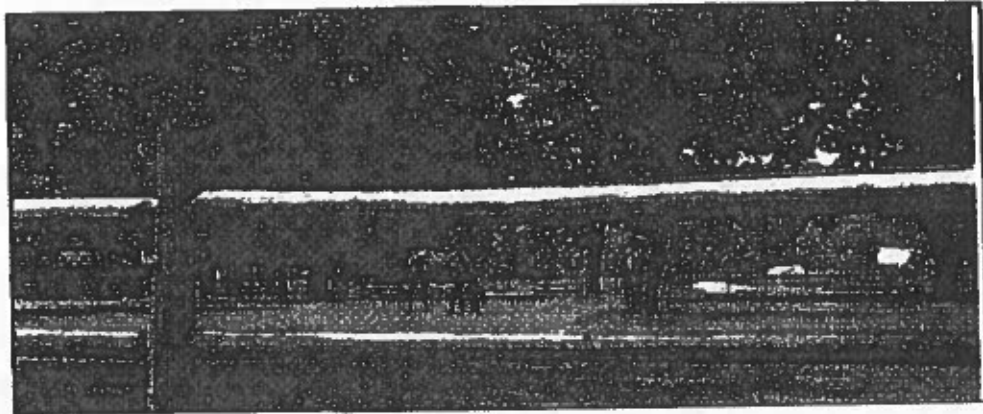
SITE STANDARDS

6.2.12. *Parking standards.* All uses within this district shall conform to the standards outlined in article 15: Off-Street Parking Requirements.

6.2.13. *Bufferyard standards.* All uses within this district shall conform to the standards outlined in article 17: Bufferyards. Unless expressly exempted, the buffering standards of this ordinance shall apply to all new nonresidential development and all new residential major subdivisions (15 or more lots).

(Ord. No. 04-11-68, 11-23-2004; Ord. No. 05-08-58, 8-29-2005; Ord. No. 10-08-24, 8-23-2010; Ord. No. 11-04-02, 4-25-2011; Ord. No. 14-03-04, 3-24-2014)

6.3. Mobile home rural farm residential district (R2-R(F)).



6.3.1. *Intent.*

- A. The R2-R(F) mobile home rural farm residential district is intended to implement the land use goals of the rural settlement areas, rural village areas and residential growth areas within rural areas in the unincorporated portions of Berkeley County. Rural settlement areas are residential areas that act as transition areas between agricultural lands and urbanizing portions of the county. Rural village areas are areas that have an identity and represent the heritage of development patterns in Berkeley County's rural landscape.
- B. This district is intended to:
 - 1. Encourage development within the rural village areas as an alternative to other developing agricultural areas of the county by allowing a broader range of land uses at a higher density than permitted in surrounding rural areas.
 - 2. Protect and enhance existing character of the rural area.
 - 3. Encourage efficient development patterns and use of in-fill development.
 - 4. Minimize development problems in areas where, due to the absence of urban infrastructure, individual on-site sewage disposal systems are necessary.
 - 5. Implement the comprehensive plan regarding the location of manufactured home dwellings and neighborhoods in predominantly rural or designated low-density areas.
 - 6. Minimize development problems in such areas where due to the absence of urban infrastructure, individual on-site sewage disposal systems are necessary.
 - 7. Protect development in these areas from infiltration of incompatible land uses.
 - 8. Provide for the development of recreational, religious, and educational facilities as basic elements of a balanced residential area.

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9. Permit the location of needed community facilities in support of residential development.
 10. Permit noncommercial, agricultural land uses associated with the residential enjoyment of domestic farm animals.

6.3.2. *Location.* This district should be applied in the rural settlement areas, rural village areas and residential growth areas mapped on the future land use map in the comprehensive plan.

USES

6.3.3. *Permitted uses.* The following uses are permitted within the R2-R(F) mobile home farm residential district:

- A. *Agricultural uses.*
 1. Agriculture, crop.
 2. Forestry.
- B. *Recreation and amusement uses.*
 1. Golf course.
 2. Indoor recreation.
 3. Outdoor recreation, active.
 4. Outdoor recreation, passive.
- C. *Institutional uses.*
 1. Assembly and worship.
 2. Government office, public services, and local utilities.
 3. School, neighborhood and community.
- D. *Residential uses.*
 1. Single-family detached.
 2. Manufactured home.

6.3.4 *Accessory uses.* Accessory uses are permitted as a detached structure or use subordinate to the main building or classification that is used for purposes customarily incidental to the principal use. Accessory uses shall not exceed 65 percent of the size of the principal classification, excluding agricultural uses and uses located on parcels one acre in size or larger.

The following uses are permitted as accessory uses within the R2 R(F) mobile home farm residential district:

- A. *Agricultural.*
 1. Sale of products produced on site;
 2. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.
- B. *Residential.*
 1. Fences and walls;
 2. Garages, carports, and off-street parking;

3. Guesthouse, gate houses and guard houses;
4. Playhouses, patios, cabanas, porches, gazebos, and incidental household storage buildings;
5. Radio and television receiving antennas;
6. Recreational and play facilities for the use of residents;
7. Tennis courts, swimming pools, and hot tubs;
8. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

C. *Institutional and civic.*

1. Cemetery;
2. Refreshment stands and food and beverage sales located in uses involving public assembly;
3. Cafeterias, dining halls, and similar food services when operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
4. Gift shops, newsstands, and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
5. Recreation areas and facilities for the use of the employees;
6. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

6.3.5. *Uses permitted with conditions.* The following uses are permitted as conditional uses within the R2-R(F) mobile home farm residential district. All listed conditions shall be demonstrated prior to permit approval. See article 11 for the procedure for approval of conditional uses.

A. *Agricultural uses.*

1. Agriculture, home animal production.
 - a. This group is limited to noncommercial uses only.
 - b. Domestic animals allowed in this zoning district are limited to those listed in subsections 7.4.9 and 7.4.10 [6.3.9] below.
 - c. All conditions and regulations found in this district shall be met prior to permit approval.

B. *Institutional uses.*

1. Family day care home.
 - a. All conditions and regulations found in article 11.6 shall be met prior to permit approval.

C. *Residential uses.*

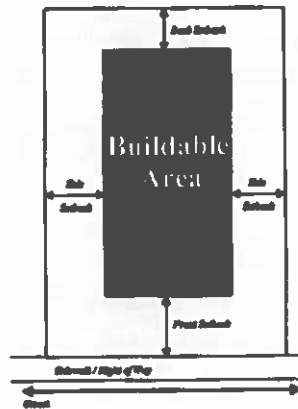
1. Home occupation.
 - a. Permitted as accessory use only.
 - b. All conditions and regulations found in article 11.9 shall be met prior to permit approval.

6.3.6. *Special exceptions.* (Reserved)

6.3.7. *Prohibited uses.* The following uses are prohibited within the R2-R(F) mobile home farm residential district:

1. Mobile home park.
2. All uses not listed as permitted are prohibited.

LOT AND BUILDING STANDARDS



6.3.8. *Lot requirements.*

- A. Minimum lot size: One acre.
- B. Minimum lot frontage:
 1. Standard lot: 20 feet.
 2. Corner lot: 40 feet.

6.3.9. *Density regulations.*

- A. There shall be no more than one principal dwelling unit per one acre (43,560 square feet) of platted land, lot or parcel.
- B. For each one acre of any lot, one large animal or five small animals, as defined below, may be maintained, and for each additional one-half acre, one large animal or five small animals, as defined below, may be maintained on the lot as a whole; provided, however, that the maximum number of animals per lot shall not exceed ten.
 1. Large animals—Equine or bovine.
 2. Small animals—Goats, sheep, emu, ostrich, or llama.
 3. Fowl—Ducks, chickens, geese, swans, turkeys, doves, pheasants, quail, pigeons, and guinea fowl (no limit on density).

6.3.10. *Minimum yard requirements.*

Parcel Size	Front (feet)	Sides (feet)	Rear (feet)	Second Street Front (feet)	Open Drainage* (feet)	Ingress/Egress Easements†

14,000 sq. ft. and greater	35	15	30	35	30	Min. required for front, rear, or side
10,000 sq. ft. to 13,999 sq. ft.	30	10	25	30	30	Min. required for front, rear, or side
6,001 sq. ft. to 9,999 sq. ft.	25	7.5	20	25	30	Min. required for front, rear, or side
6,000 sq. ft. and under	20	7.5	20	20	30	Min. required for front, rear, or side

- * This is the minimum setback required for open drainage ditch and/or stormwater pond easement lines (excluding swales).
- † This is the minimum setback from any ingress/egress easement.

Accessory structures are permitted in the rear and side yards only with minimum of five foot setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the accessory structure is placed in that portion of the yard that fronts a second street frontage of the property, the setback from the second street frontage property line for the accessory structure is the required second street frontage setback for the primary structure. Agricultural structures shall not be less than 60 feet from the property line.

6.3.11. Building requirements.

- A. Impervious coverage: 50 percent maximum. Provided that this requirement will be superseded by specific development guidelines contained in Berkeley County Drainage Ordinance No. 89-4-9, as amended, and in Berkeley County Subdivision Ordinance No. 79-12-34, as amended.
- B. Building height: Less than 40 feet to the highest part of the structure. The height limits contained in the airport overlay district, as regulated by article 10, may apply additional height limitations to a specific piece of property.

SITE STANDARDS

6.3.12. *Parking standards.* All uses within this district shall conform to the standards outlined in article 15: Off-Street Parking Requirements.

6.3.13. *Bufferyard standards.* All uses within this district shall conform to the standards outlined in article 17: Bufferyards. Unless expressly exempted, the buffering standards of this ordinance shall apply to all new nonresidential development and all new residential major subdivisions (15 or more lots).

6.3.14. Restrictions.

- A. No barn or other agricultural structure shall be located any closer than 60 feet to any property line.
- B. The lot must be designed and maintained to drain so as to prevent ponding and propagation of insects.
- C. The lot must be designed and maintained so as to prevent the pollution by drainage of adjacent streams and other water bodies.
- D. The premises must be maintained in a sanitary condition through the proper use of lime and pesticides.

- E. The premises must be maintained by keeping manure piles in covered containers at least 50 feet from any dwelling or any pool, patio, or other recreational structure on an adjoining lot and at least 25 feet from any property line.
- F. All manure must be removed as necessary so as to prevent propagation of flies and creation of odors.
- G. All grain on the lot must be stored in rodentproof containers.
- H. All feed spillage on the lot must be promptly removed so as to prevent attraction of flies, rodents, and birds, and creation of odors.
- I. The exercise and training areas on the lot must be dampened so as to prevent dust.
- J. All animals must be confined to the premises while maintaining a ten-foot setback from the property line. No free-roaming animals will be permitted including fowl.

(Ord. No. 04-11-68, 11-23-2004; Ord. No. 05-08-58, 8-29-2005; Ord. No. 09-04-16, 4-13-2009; Ord. No. 10-08-24, 8-23-2010; Ord. No. 11-04-02, 4-25-2011; Ord. No. 14-03-04, 3-24-2014)

6.4. Agricultural district (Flex1).



6.4.1. *Intent.* A significant portion of the county's land area is used for agricultural, forestry, and agricultural/residential purposes. These areas represent the county's rural landscape and historic character of Berkeley County. The viability of agricultural operations and production is contingent upon their protection from incompatible land uses and development. Additionally, premature conversion of these lands to accommodate urban and suburban development increases the demand for costly public infrastructure.

- A. The Flex1 agricultural district is intended to implement the land use goals of the agriculture and resource conservation areas within rural areas in the unincorporated portions of Berkeley County.
- B. This district is intended to:
 - 1. Preserve agricultural activities as a primary use, but to allow residential development as a secondary use.
 - 2. Manage growth to protect agricultural land and land uses from development pressures to avoid increasing demands for road improvements and public infrastructure.
 - 3. Provide standards to control the intensity of development in rural areas of sensitive natural and historical resources.

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4. Preserve wetlands, watercourses and other significant natural resource areas, and to preserve the scenic quality of the landscape.
 5. Preserve and protect the rural residential character of specific areas within the county.
 6. Ensure that the cultural integrity of the county's historical resources is protected.
 7. Protect these areas from infiltration of incompatible land uses.

6.4.2. *Location.* This district should be applied in the resource conservation areas and agricultural areas mapped on the future land use map in the comprehensive plan.

6.4.3. *Agricultural nuisance disclaimer.* Lands within the agricultural districts are used for commercial agricultural and forestry production. Owners, residents, and other users of this property may be subjected to inconvenience, discomfort, and the possibility of injury to property and health arising from normal and accepted agricultural practices and operations, including, but not limited to, noise, odors, dust, the operation of machinery of any kind, including aircraft, the storage and disposal of manure, the application of fertilizers, herbicides, and pesticides, clear cutting, and prescribed burning. Owners, residents, and users of this property should be prepared to accept these conditions.

USES

6.4.4. *Permitted uses.* The following uses are permitted within the Flex1 agricultural district:

A. *Agricultural uses.*

1. Agriculture, crop.
2. Agriculture, home animal production.
3. Agriculture, home horses.
4. Forestry.

B. *Recreation and amusement uses.*

1. Ecotourism.
2. Golf course.
3. Indoor recreation.
4. Outdoor recreation, active.
5. Outdoor recreation, passive.

C. *Institutional uses.*

1. Assembly and worship.
2. College and professional schools.
3. School, neighborhood and community.
4. Government office, public services, and local utilities.

D. *Residential uses.*

1. Single-family detached.
2. Duplex (residential, two-family).
3. Manufactured home.

6.4.5 Accessory uses. Accessory uses are permitted as a detached structure or use subordinate to the main building or classification that is used for purposes customarily incidental to the principal use. Accessory uses shall not exceed 65 percent of the size of the principal classification; excluding agricultural uses and uses located on parcels one acre in size or larger.

The following uses are permitted as accessory uses within the Flex1 agricultural district:

A. Agricultural.

1. Agriculture, sales and services.
2. Agriculture, storage. Freight/cargo containers may be permitted by the county for the storage of agricultural supplies, products and/or machinery. Freight/cargo containers are limited to one container to (on) parcels of at least one acre with not more than three containers on parcels of five acres or more as described above. The container must adhere to all necessary zoning and building codes.
3. Sale of products produced on site.
4. Accessory agricultural uses shall include all residential accessory uses and those accessory uses and activities customarily associated with agricultural operations, as determined by the zoning administrator. Barns and farm-related structures, including roadside stands selling sweet-grass baskets or indigenous produce grown or produced on the farm where the roadside stand is located, shall be allowed in all parcels in agricultural zoning districts.

B. Recreation.

1. Campground.
2. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

C. Residential.

1. Fences and walls.
2. Garages, carports, and off-street parking.
3. Gate houses and guard houses.
4. Playhouses, patios, cabanas, porches, gazebos, and incidental household storage buildings.
5. Radio and television receiving antennas.
6. Recreational and play facilities for the use of residents.
7. Tennis courts, swimming pools, and hot tubs.
8. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

D. Institutional and civic.

1. Cemetery.
2. Refreshment stands and food and beverage sales located in uses involving public assembly.

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3. Cafeterias, dining halls, and similar food services when operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use.
 4. Gift shops, newsstands, and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use.
 5. Recreation areas and facilities for the use of the employees.
 6. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

6.4.6. *Uses permitted with conditions.* The following uses are permitted as conditional uses within the agricultural districts. All listed conditions shall be demonstrated prior to permit approval. See article 11 for the procedure for approval of conditional uses.

A. *Agricultural uses.*

1. *Boarding facility.*

- a. All conditions and regulations found in article 11.3 shall be met prior to permit approval.

B. *Commercial uses.*

1. *Bed and breakfast.*

- a. Permitted as accessory use only.
- b. All conditions and regulations found in article 11.4 shall be met prior to permit approval.

2. *Domestic boarding facility.*

- a. The facility shall be buffered with an opaque eight foot tall privacy fence between the facility and all adjoining properties in addition to any landscaping requirements found in article 17 of this ordinance.

3. *Campgrounds.*

- a. Minimum project will be ten acres unless a special exception is granted by the board of zoning appeals (BZA) in accordance with the standards and procedures set forth in articles 11 and 21, and a single-site development (site) plan and applicable supporting materials that demonstrate how the other conditions of this section are met or exceeded, is submitted with the application.
- b. Twenty-five percent of the total site area will contain designated recreational areas, for, but not limited to, such games as shuffleboard, volleyball courts, horseshoe pits, walking trails and swimming areas.
- c. Campgrounds may have one caretaker residence. This will be the only permanent residential structure within the campground and must meet the definition of a single-family detached dwelling);
- d. Shelters designed for sleeping will not be equipped with any interior cooking facilities.
- e. All utilities including, but not limited to, electric, water and sewer will be placed underground.
- f. DHEC approval will be required prior to single site development (site) plan approval;

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- g. The campground will provide off-street parking, access and roads (surface may be gravel or similar material) in accordance with all applicable provisions of the Berkeley County Code of Laws;
 - h. Accessory buildings such as bathhouses, storage buildings, dining halls, meeting halls, boathouses, stables, and the like will be for incidental use by the campsites;
 - i. A single-site development (site) plan must be submitted, reviewed, and approved in accordance with all applicable provisions of this chapter and chapter 59, the Land Development and Subdivision Regulations of Berkeley County;
 - j. Storage areas for storage of recreational vehicles are permitted, provided the area;
 - (a) Does not exceed 20 percent of the development area; and
 - (b) Storage is limited to storage of recreational vehicles as an accessory use in conjunction with the principal campground use;
 - k. Recreational vehicles must maintain current registration and tags and covenants must be submitted, approved and recorded to prohibit the use of the RVs as permanent residences.

C. *Institutional uses.*

1. *Family day care home.*

- a. Permitted as accessory use only.
- b. Care is provided in a family home during the day for no more than six children including the day care parents' own children.
- c. All conditions and regulations found in article 11.6 shall be met prior to permit approval.

2. *Cemetery (primary use).*

- a. Minimum lot size: One acre.
- b. The cemetery shall meet all tax, fire and building code, Americans with Disabilities Act (ADA) accessibility regulations, South Carolina Department of Health and Environmental Control (SCDHEC), zoning and development, stormwater management, and applicable local, state, and/or federal requirements prior to the commencement of operations and at all times thereafter.
- c. Parking and accesses serving the cemetery shall be designed and constructed in accordance with articles 15 and 10.3 of the Berkeley County Zoning and Development Standards Ordinance and chapter 59, the Land Development and Subdivision Regulations of Berkeley County, as applicable.
- d. The cemetery shall be buffered in accordance with standards set forth in articles 17 and 10.3, as applicable.
- e. Prior to commencement of operations, a single site development plan, submitted in accordance with the requirements and processes established in chapter 59, shall be submitted for concurrent departmental review and approval.
- f. Prior to single site development plan approval, the owner shall record at the Berkeley County Register of Deeds restrictive covenants that establish perpetual care, maintenance, and protection of the cemetery and those interred and furnish to the department evidence of such.

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- g. The cemetery shall not accompany a crematory, mortuary, or any other facility for preparing deceased individuals for internment.
- D. *Office and industrial uses.*
- 1. *Commercial communication towers.*
 - a. *List of conditionally approved uses.*
 - 1. Locating antennas on existing structures with modifications consistent with the conditions [in] article 11.7.
 - 2. Locating antennas on existing towers with modifications consistent with the conditions [in] article 11.7.
 - 3. Locating new monopole, guyed, or lattice towers consistent with the conditions [in] article 11.7.
 - b. *District conditions.*
 - 1. Maximum height: 150 feet, unless a special exception permit is granted by the Berkeley County Board of Zoning Appeals.
 - 2. A tower and/or antenna mounted on an existing building, water tank, or structure other than a freestanding or guyed tower must not extend more than 20 feet above the highest part of the structure.
 - c. *General conditions.*
 - 1. All conditions and regulations found in article 11.7 shall be met prior to permit approval.
 - 2. Proposed communications equipment [co-locating] on existing towers and structure without adding to their height shall not be subject to the requirements of this conditional use.
 - 2. *Small wireless facilities.*
 - a. The use shall meet all applicable standards found in section 11.7.
 - 3. *Mining.*
 - a. Mine pit must be five acres or less.
 - b. Mine pit must be less than 20 feet deep as measured from the original ground elevation immediately surrounding the pit.
 - c. Mine site may not operate greater than 12 months. The zoning administrator, upon finding that site has operated substantially in compliance with the standard contained in this section, has the authority to grant no more than two extensions each of which will be a maximum of six months.
 - d. Site must be buffered in accordance with the mine buffer requirements of section 17.7 and other applicable sections of the Berkeley County Zoning and Development Ordinance.
 - e. Dust reduction measures must be employed to alleviate both on site and off site dust nuisance generated by the mine site's activities. These measures include, but are not limited to, one or more of the following:
 - 1. Stabilization of nonactive exposed soil and stockpiles through vegetation, mulching, chemical stabilizer, and/or stone/gravel layering.

2. Utilization of stabilized roadways within the site.
 3. On-site speed limits to minimize disturbance.
 4. Application of water or other dust palliatives.
- f. DHEC reclamation and regulations must be observed.
 - g. An emergency contact sign not to exceed four square feet with light reflective and minimum four-inch letters that includes the name of the operator and an after hours phone number must be erected at the entrance. The sign must be placed a minimum ten feet from the road right-of-way but no more than 25 feet from the road right-of-way and must be appropriately maintained throughout the operation of the mine site.
 - h. Must comply with Berkeley County Noise Ordinance and, for sites located within the MS4 area, The Berkeley County Stormwater Management Ordinance.
 - i. A single site development (site) plan must be submitted, reviewed, and approved in accordance with all applicable provisions of this chapter and chapter 59, the Land Development and Subdivision Regulations of Berkeley County prior to the commencement of operations.

E. *Residential uses.*

1. *Home occupation.*
 - a. Permitted as accessory use only.
 - b. All conditions and regulations found in article 11.9 shall be met prior to permit approval.
2. *Accessory dwelling unit.*
 - a. Permitted as an accessory dwelling unit only and includes guesthouse and garage apartment accessory dwelling unit types.
 - b. There shall be no more than one accessory dwelling unit per platted lot.
 - c. The accessory dwelling unit is no larger than 25 percent of the primary dwelling's heated square footage, up to a maximum of 850 square feet.
 - d. The accessory dwelling unit is used only for the housing of individuals who do not pay any form of consideration in exchange for residing therein.

6.4.7. *Special exception.* The following uses are permitted as special exception uses within the agricultural districts. Applications for special exception shall include a single-site development plan, conforming to the requirements outlined for the requested use and all applicable codes, payment of fees established in chapter 47, and any supporting documentation deemed necessary by the planning and zoning director by the required deadline to be eligible for consideration by the board of zoning appeals (BZA). The board of zoning appeals (BZA) will evaluate the request in accordance with the standards, criteria, and processes set forth in articles 11 and 21.

1. *Institutional, residential.*
 - a. Maximum occupancy of nine persons per unit.
 - b. Off-street parking must be provided in accordance with article 15 as a hospital and clinic use.
 - c. Business and retail buffers must be provided in accordance with article 17 and any overlay standards must be met.
2. Mine sites with pit sizes greater than five acres and/or greater than 20 feet deep provided:

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- a. The board of zoning appeals will use the following criteria, based upon factual evidence presented by the applicant and/or the public during the public hearing, for judging the compatibility of the proposal with the surrounding area: 1) Will private and/or surface water facilities, and existing stormwater/drainage systems be negatively impacted by the proposed use? 2) Is the proposed site, access, transportation route and operations located where existing residences may be negatively impacted by the mine's activities and equipment operations? 3) Will pedestrian and/or vehicular transportation corridors and access be negatively impacted? In considering the effect upon transportation corridors the board of zoning appeals must find that existing residences, a public or private school, public park or public recreation area (Within the Francis Marion National Forest, includes only designated recreation areas), youth activity center, public library, and/or a child care facility will not be negatively impacted by the mine site's operations, access, or truck route. 4) Will the proposed use negatively impact the character of the surrounding area and is it compatible with surrounding uses?
- b. An operations plan must be submitted indicating the following:
1. The proposed life of the mine with a statement that the operator understands that the indicated life cannot be exceeded unless the BZA approves an extension through the same process as the initial special exception.
 2. Statement of proposed dust control measures and time frames for applications to alleviate both on-site and off-site dust nuisance generated by the mine site's activities. These measures include, but are not limited to, one or more of the following:
 - a. Stabilization of nonactive exposed soil and stockpiles through vegetation, mulching, chemical stabilizers, and/or stone/gravel layering.
 - b. Utilization of stabilized roadways within the site.
 - c. On-site speed limits to minimize disturbance.
 - d. Application of water or other dust palliatives.
 3. Hours of operation shall be 7:30 a.m. to 6:30 p.m. State, local and federal projects mandated for night work may be temporarily exempted from these hours of operation upon the submittal of satisfactory documentation to the zoning administrator demonstrating the need for the exemption and to extend only through the duration of the mandated night work.
 4. Signed statement of intent to comply with Berkeley County Noise Ordinance.
 5. The site will comply with the Berkeley County Stormwater Management Ordinance for sites located within the MS4 area of Berkeley County.
 6. The site shall be located within ½ mile of an arterial road or a truck routing plan must be developed that minimizes the travel of trucks and equipment along routes that pass existing uses where children are frequently present such as public or private schools, public parks or public recreation areas, youth activity centers, public libraries, childcare facilities, or residential uses. Travel distance and cost shall not be a factor of consideration for the development and approval of the truck routing plan. Truck routes proposed along county-maintained roads shall be approved through the county encroachment permit process. The county engineer may require a maintenance bond to ensure the road is properly maintained for the duration of the mine site's use of the county-maintained road.
- c. Site must be buffered in accordance with the required mine buffer as defined in section 17.7 and other applicable sections of the zoning ordinance.

- d. An emergency contact sign not to exceed four square feet with light reflective and minimum four-inch letters that includes the name of the operator and an afterhours phone number must be erected at the entrance. The sign must be placed a minimum ten feet from the road right-of-way but no more than 25 feet from the road right-of-way, and must be appropriately maintained throughout the operation of the mine site.
- e. The mine shall not operate within 500 feet of a public or private school, a public park or public recreation area (within the Francis Marion National Forest, includes only designated recreation areas), a residential use, a youth activity center, a public library, or a licensed child care facility.

For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the mine pit to the nearest eave of the premises of a religious institution, public or private school, youth activity center, public library, child care facility, or to a residential use, and to the nearest active portion of a public park or public recreation area (within the Francis Marion National Forest, includes only designated recreation areas).

A mining operation lawfully operating as a conforming use is not rendered a nonconforming use by the location of a religious institution, public or private school, public park or recreation area (within the Francis Marion National Forest, includes only designated recreation areas), a residential use, youth activity center, public library, or child care facility subsequent to the grant or renewal of a mining permit.

- f. DHEC reclamation and regulations must be observed.
- g. Where surface water features remain, or a depressed area is created, a final grading plan matched to the proposed end use, as specified in the DHEC reclamation plan, shall be submitted. The final grading plan shall demonstrate that sufficient land is to remain unexcavated or that the excavation will be done in a manner permitting the development to conform to this chapter's regulations without any variances.
- h. *Commencement.* Commencement of mining operations and associated site improvements shall not commence until a special exception is issued by the board, the associated single-site development (site) plan is submitted, reviewed, and, upon demonstrated compliance to the applicable requirements and any additional conditions imposed by the BZA, approved in accordance with the processes and requirements set forth in chapter 59, and all applicable building, trades, and special events permits have been issued. Operations shall not commence until the site is inspected by applicable county personnel and deemed to be in conformance with the approved single-site development (site) plan, the standards stipulated in this chapter, and applicable authorizations for occupancy have been issued by the building and codes department.

3. *Commercial event venue.*

- a. *Minimum lot size required.* Any lot for which a commercial event venue is proposed shall be a minimum of five acres in size.
- b. *Bufferyards.* The site containing the commercial event venue shall be buffered in accordance with the bufferyard established for "business and retail" type uses as defined in section 17.7 and other applicable sections of the zoning ordinance.
- c. *Occupancy.* Maximum occupancy will be determined by the more restrictive of the availability of parking, International Building Code, or International Fire Code. Under no circumstances shall the number of guests to the commercial event venue exceed 400 persons per day.
- d. *Separation from dissimilar uses.* The commercial event venue, and any accessory use thereof, shall not operate within 250 feet of a parcel that contains an existing, or permitted but not yet

constructed, public or private school, a residential use or zone, a youth activity center, a public library, or a licensed childcare facility. The board of zoning appeals (BZA) may permit reductions in this separation standard upon demonstration of adequate alternative measures to attenuate noise and other adverse impacts. The board may consider written consent from the affected adjoining landowner(s) to the reduction and alternative measures proposed.

For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the property intended to be used for the commercial event facility, including accompanying accessory uses, to the nearest property line of the premises of an existing, or permitted but not yet constructed, religious institution, public or private school, youth activity center, public library, child care facility, or to a residential use or zone.

A commercial event venue lawfully operating as a conforming use is not rendered a nonconforming use by the location of a religious institution, public or private school, a residential use or zone, youth activity center, public library, or childcare facility subsequent to the issuance of authorizations to operate the commercial event venue.

- e. *Compliance.* The commercial event venue shall meet all tax, fire and building code, Americans with Disabilities Act (ADA) accessibility regulations, South Carolina Department of Health and Environmental Control (SCDHEC), zoning and development, stormwater management, and applicable local, state, and/or federal requirements prior to the commencement of operations and at all times thereafter.
- f. *Access.* Access to the commercial event venue shall be served primarily by arterial and secondary roadways. Under no circumstances shall access into the commercial event venue be served by minor local (residential) streets. The applicant shall demonstrate that proper authorizations and permissions are in place for proposed accesses.
- g. *Traffic impacts.* The trips generated by the commercial event venue shall not adversely affect the capacities and levels of service of adjoining public roadways that serve the venue; adequate traffic control measures shall be in place for all special events.
- h. *Dispensation of alcohol.* Alcoholic beverages may be served in connection with a special event conducted at the commercial event venue for on-site consumption, provided that a special event license is obtained by the Berkeley County Sheriff's Office, it is served in accordance with applicable state and local laws, and event security is provided for the duration of the special event in accordance with the procedures set forth by the Berkeley County Sheriff's Office. A separate special event license is required to be obtained for each event in which alcohol is intended to be dispensed in accordance to the policies and procedures set forth by the Berkeley County Sheriff's Office.
- i. *Parking facilities.* Parking lot design, including dimensions and construction materials for internal access aisles, parking stalls, and interior landscaping, shall conform to the standards established in article 15 and section 10.3, as applicable.
- j. *Hours of operation.* The commercial event venue shall operate between the hours of 7:30 a.m. and 10:00 p.m. The BZA may limit hours of operation if it finds it necessary to mitigate adverse impacts to adjoining uses and retain neighborhood compatibility.
- k. *Operational impacts.* Special events hosted at the commercial event venue shall not result in excessive noise as defined in section 38.1, Noise.
- l. *Site and operations plans.* A site and operations plans shall be submitted with the application for special exception, describing how the site will be developed and operated. Substantive changes

to the operations plan shall require additional approval by the BZA. The site and operations plans shall include, at a minimum, the following items:

- i. The name and contact information for the on-site manager. An on-site manager shall be present and available for the duration of all events occurring at the venue. Up-to-date contact information for the on-site manager shall be included in the venue's advertising materials and in the venue's operations plan. Updated contact information for the on-site manager shall be provided to the zoning administrator any time the on-site manager's contact information changes; and
 - ii. A description of who will provide event security, including traffic escort services, during special events in which 100 or more visitors are expected to attend or in which alcohol is served; and
 - iii. Maximum capacity of the facility, based on building code, fire code, and/or parking requirements; and
 - iv. Duration of time that the event venue will be operational (seasonal or year-round) and daily hours of operation; and
 - v. Types and annual number of events anticipated and/or marketed; and
 - vi. An internal access/vehicle circulation plan, demonstrating that the venue and any accessory uses related thereto can be safely and efficiently accessed by motorists and pedestrians; and
 - vii. A solid waste management plan indicating how solid waste will be disposed of and managed; and
 - viii. A noise control plan demonstrating how the standards established in section 38.1, Noise, will be met; and
 - ix. A site development plan demonstrating compliance to all applicable site development standards as prefaced herein.
- m. *Commencement.* Construction of the commercial event venue and associated site improvements shall not commence until a special exception is issued by the board, the associated single-site development (site) plan is submitted, reviewed, and, upon demonstrated compliance to the applicable requirements and any additional conditions imposed by the BZA, approved in accordance with the processes and requirements set forth in chapter 59, and all applicable Building, Trades, and Special Events Permits have been issued. Operations shall not commence until the site is inspected by applicable county personnel and deemed to be in conformance with the approved single-site development (site) plan, the standards stipulated in this chapter, and applicable authorizations for occupancy have been issued by the building and codes department.
- n. *Hold harmless and indemnification agreement.* The property owner(s) and responsible party shall execute a hold harmless and indemnification agreement that shall be presented to and approved by the county attorney, or his/her designee, prior to single site development (site) plan approval of the proposed commercial event venue and shall release and forever discharge Berkeley County, the Berkeley County Board of Zoning Appeals, their employees, agents, elected and appointed officials, and their successors and assigns from all liabilities, indemnifications, damages, suits, liens, rights, or any other claims or liabilities of any nature whatsoever, known or unknown, fixed or contingent, liquidated or unliquidated, arising out of the application for the special exception permit and the operation of the commercial event venue on the premises.
- o. *Notice upon transfer of ownership.* In at least 90 days in advance of a transfer of ownership, the owner/permit holder shall submit written notice to the department of a transfer of ownership as

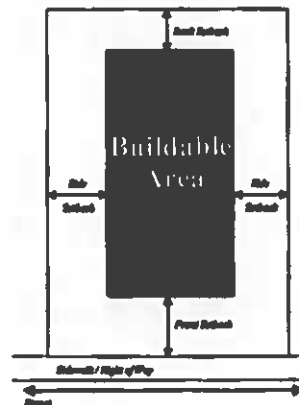
well as updated contact information and other relevant supporting permit materials. Failure to do so will result in permit revocation.

- p. *Permit compliance.* Should the board of zoning appeals (BZA) approve a request for special exception, the applicant and/or operator shall meet the conditions of the special exception permit, including those imposed by the BZA as a means of ensuring land use compatibility, prior to commencement of operations and at all times thereafter.

6.4.8. *Prohibited uses.* The following uses are prohibited within agricultural districts:

1. Mobile home park.
2. All uses not listed as permitted are prohibited.

LOT AND BUILDING STANDARDS



6.4.9. *Lot requirements.*

- A. *Minimum lot size when subdividing:* 30,000 square feet (.69 of an acre).
- B. *Minimum lot frontage.*
 1. Standard lot: 20 feet.
 2. Corner lot: 40 feet.

6.4.10. *Density regulations.*

- A. When not subdividing, there shall be no more than two principal dwelling units per one acre (43,560 square feet) of platted land, lot, or parcel. For each additional half acre in land area, one additional dwelling may be permitted, up to a maximum of four dwellings.
- B. In no case shall there be more than four units placed on one parcel.
- C. In the situation whereby the parcel is legally designated as "heirs" property the density of principal dwelling units when not subdividing may [be] no more than three units per one acre (43,560 square feet). In no case shall there be more than ten units placed on one parcel legally referred to as "heirs" property.
- D. Clustering of lots may be permitted by the procedures outlined in article 13 of the Zoning and Development Standards Ordinance.

6.4.11. *Minimum yard requirements.*

- A. The following yard requirements apply to the principal structure(s).

Parcel Size	Front (feet)	Sides (feet)	Rear (feet)	Second Street Front (feet)	Open Drainage* (feet)	Ingress/Egress Easements†
14,000 sq. ft. and greater	35	15	30	35	30	Min. required for front, rear, or side
10,000 sq. ft. to 13,999 sq. ft.	30	10	25	30	30	Min. required for front, rear, or side
6,001 sq. ft. to 9,999 sq. ft.	25	7.5	20	25	30	Min. required for front, rear, or side
6,000 sq. ft. and under	20	7.5	20	20	30	Min. required for front, rear, or side

* This is the minimum setback required for open drainage ditch and/or stormwater pond easement lines (excluding swales)

† This is the minimum setback from any ingress/egress easement

B. **Accessory structure(s).** Accessory structures are permitted in the rear and side yards only with minimum of five foot setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the accessory structure is placed in that portion of the yard that fronts a second street frontage of the property, setback from the second street frontage property line for the accessory structure is the required second street frontage setback for the primary structure. An accessory structure may be permitted within the front yard or that portion of yard situated between the front lot line and the front facade of the principal structure if the following conditions are met:

1. The proposed accessory structure meets the front setback applicable to the principal structure.
2. The proposed accessory structure is greater than 200 square feet in size.
3. With the exception of bona fide agricultural structures, the proposed accessory structure shall not exceed the height of the principal dwelling.
4. With the exception of structures that are sited 150 feet or more from the front property line, vehicular access to the proposed accessory structure is oriented to the side or second street frontage lot line, and vehicular doors and bays to the accessory structure are not visible from the fronting street right-of-way.
5. There shall be no more than one accessory structure permitted within the front yard or that portion of yard situated between the front lot line and the front facade of the principal structure per platted parcel of less than five acres in size.

6.4.12. **Unit separation.** The minimum distance between dwelling units shall be:

- A. Side to side: 15 feet minimum.
- B. Front to front or rear: 15 feet minimum.
- C. Rear to rear: 15 feet minimum.

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6.4.13. Building requirements.

- A. Impervious coverage: 50 percent maximum.
- B. Building height: Less than 40 feet to the highest part of the structure. The height limits contained in the airport overlay district, as regulated by article 10, may apply additional height limitations to a specific piece of property.

SITE STANDARDS

6.4.14. Parking standards. All uses within this district shall conform to the standards outlined in article 15: Off-Street Parking Requirements.

6.4.15. Bufferyard standards.

- A. Residential development of parcels consisting of 15 or more lots shall conform to the bufferyard regulations outlined in article 17 to minimize conflicts between residential and agricultural or forestry practices.
- B. All other uses shall conform to the bufferyard regulations outlined in article 17.

(Ord. No. 02-08-33, 8-26-2002; Ord. No. 04-11-68, 11-23-2004; Ord. No. 05-08-58, 8-29-2005; Ord. No. 09-04-16, 4-13-2009; Ord. No. 10-08-24, 8-23-2010; Ord. No. 11-04-02, 4-25-2011; Ord. No. 14-03-04, 3-24-2014; Ord. No. 14-11-38, 11-24-2014; Ord. No. 14-12-40, 12-8-2014; Ord. No. 21-01-02, 1-25-2021)

6.5. Preservation residential district (R15).



6.5.1. Intent.

- A. The R15 rural manufactured single family residential district is intended to implement the land use goals of the resource conservation areas within rural areas in the unincorporated portions of Berkeley County.
- B. This district is intended to:
 - 1. Provide standards to control the intensity of development in rural areas of sensitive natural and historical resources.
 - 2. Preserve and protect the rural residential character of specific areas within the county.
 - 3. Ensure that the cultural integrity of the county's historical resources is protected.
 - 4. Protect these areas from infiltration of incompatible land uses.

6.5.2. *Location.* This district shall be applied in the resource conservation areas and agricultural areas mapped on the future land use map in the comprehensive plan.

USES

6.5.3. *Permitted uses.* The following uses are permitted within the R15 preservation residential district:

A. *Agricultural uses.*

1. Agriculture, crop.
2. Agriculture, home animal production.
3. Agriculture, home horses only.
4. Forestry.

B. *Recreation and amusement uses.*

1. Ecotourism.
2. Golf course.
3. Indoor recreation.
4. Outdoor recreation, active.
5. Outdoor recreation, passive.

C. *Institutional uses.*

1. Assembly and worship.
2. Government office, public services, and local utilities.
3. School, neighborhood and community.

D. *Residential uses.*

1. Single-family detached.
2. Manufactured home.

6.5.4 *Accessory uses.* Accessory uses are permitted as a detached structure or use subordinate to the main building or classification that is used for purposes customarily incidental to the principal use. Accessory uses shall not exceed 65 percent of the size of the principal classification; excluding agricultural uses and uses located on parcels one acre in size or larger.

The following uses are permitted as accessory uses within the R15 preservation residential district:

A. *Agricultural.*

1. Sale of products produced on-site;
2. Agricultural storage;
3. Accessory agricultural uses shall include all residential accessory uses and those accessory uses and activities customarily associated with agricultural operations, as determined by the zoning administrator. Barns and farm-related structures, including roadside stands selling sweet-grass baskets or indigenous produce grown or produced on the farm where the roadside stand is located, shall be allowed in all parcels in agricultural zoning districts.

B. *Residential.*

1. Fences and walls;

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2. Garages, carports, and off-street parking;
 3. Gate houses and guard houses;
 4. Playhouses, patios, cabanas, porches, gazebos, and incidental household storage buildings;
 5. Radio and television receiving antennas;
 6. Recreational and play facilities for the use of residents;
 7. Tennis courts, swimming pools, and hot tubs;
 8. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the zoning administrator as a means of ensuring land use compatibility.

C. *Institutional and civic.*

1. Cemetery;
2. Refreshment stands and food and beverage sales located in uses involving public assembly;
3. Cafeterias, dining halls, and similar food services when operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
4. Gift shops, newsstands, and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
5. Recreation areas and facilities for the use of the employees;
6. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

6.5.5. *Uses permitted with conditions.* The following uses are permitted as conditional uses within the R15 preservation residential district. All listed conditions shall be demonstrated prior to permit approval. See article 11 for the procedure for approval of conditional uses.

A. *Agricultural uses.*

1. Boarding facility.
 - a. All conditions and regulations found in article 11.3 shall be met prior to permit approval.

B. *Commercial uses.*

1. Bed and breakfast.
 - a. Permitted as accessory use only.
 - b. All conditions and regulations found in article 11.4 shall be met prior to permit approval.
2. Domestic boarding facility.
 - a. The facility shall be buffered with an opaque eight-foot tall privacy fence between the facility and all adjoining properties in addition to any landscaping requirements found in article 15 of this ordinance.

C. *Institutional uses.*

1. Family day care home.

-
- a. Permitted as accessory use only.
 - b. Care is provided in a family home during the day for no more than six children including the day care parents' own children.
 - c. All conditions and regulations found in article 11.6 shall be met prior to permit approval.
- D. *Residential uses.*
- 1. Accessory dwelling unit.
 - a. Permitted as an accessory dwelling unit only.
 - b. There shall be no more than two accessory dwelling units per principal unit.
 - c. Accessory dwelling units shall be used by an employee or family member and shall not be rented.
 - d. Only one manufactured home per principal dwelling unit shall be allowed.
 - 2. Home occupation.
 - a. Permitted as accessory use only.
 - b. All conditions and regulations found in article 11.9 shall be met prior to permit approval.

6.5.6. *Special exceptions.* (Reserved)

6.5.7. *Prohibited uses.* The following uses are prohibited within the R15 preservation residential district.

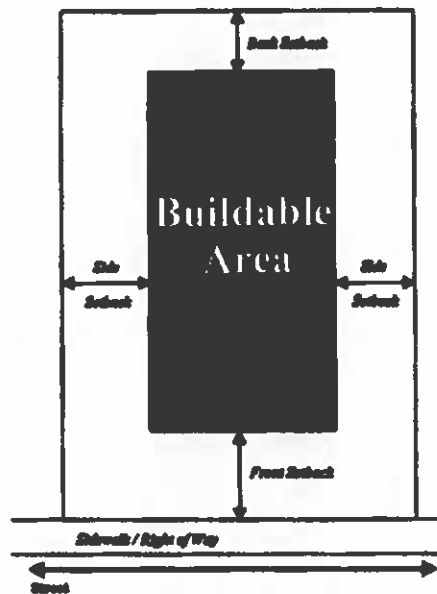
- 1. Mobile home park.
- 2. All uses not listed as permitted are prohibited.

6.5.8. *Lot requirements.*

- A. Minimum lot size: 15 acres.
- B. Minimum lot frontage:
 - 1. Standard lot: 20 feet.
 - 2. Corner lot: 40 feet.

6.5.9. *Density regulations.* Maximum density: There shall be no more than one principal dwelling unit per 15 acres. There shall be no more than two accessory dwelling units per principal unit. An accessory dwelling unit shall be used by an employee or family member only, and shall not be rented. Examples of accessory dwelling units are: guesthouses, caretaker quarters, servant quarters, or house for elderly family member. Only one mobile home (manufactured home) per 15 acres shall be allowed.

LOT AND BUILDING STANDARDS



6.5.10. *Minimum yard requirements.* The minimum setbacks shall be:

- A. Front yard: 100 feet minimum.
- B. Side yard: 50 feet minimum.
- C. Rear yard: 50 feet minimum.
- D. Accessory structures are permitted in the rear and side yards only with minimum of five-foot setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the accessory structure is placed in that portion of the yard that fronts a second street frontage of the property, the setback from the second street frontage property line for the accessory structure is the required second street frontage setback for the primary structure.
- E. Second street frontage: 100 feet minimum.
- F. Open drainage ditch and/or stormwater pond easement lines (excluding swales): 30 feet minimum.
- G. Ingress/egress easements: The minimum distance stated above for front, side, or rear.

6.5.11. *Unit separation.* The minimum distance between dwelling units shall be:

- A. Side to side: 15 feet minimum.
- B. Front to front or rear: 15 feet minimum.
- C. Rear to rear: 15 feet minimum.

6.5.12. *Building requirements.*

- A. Impervious coverage: 50 percent maximum.
- B. Building height: Less than 40 feet to the highest part of the structure. The height limits contained in the airport overlay district, as regulated by article 10, may apply additional height limitations to a specific piece of property.

SITE STANDARDS

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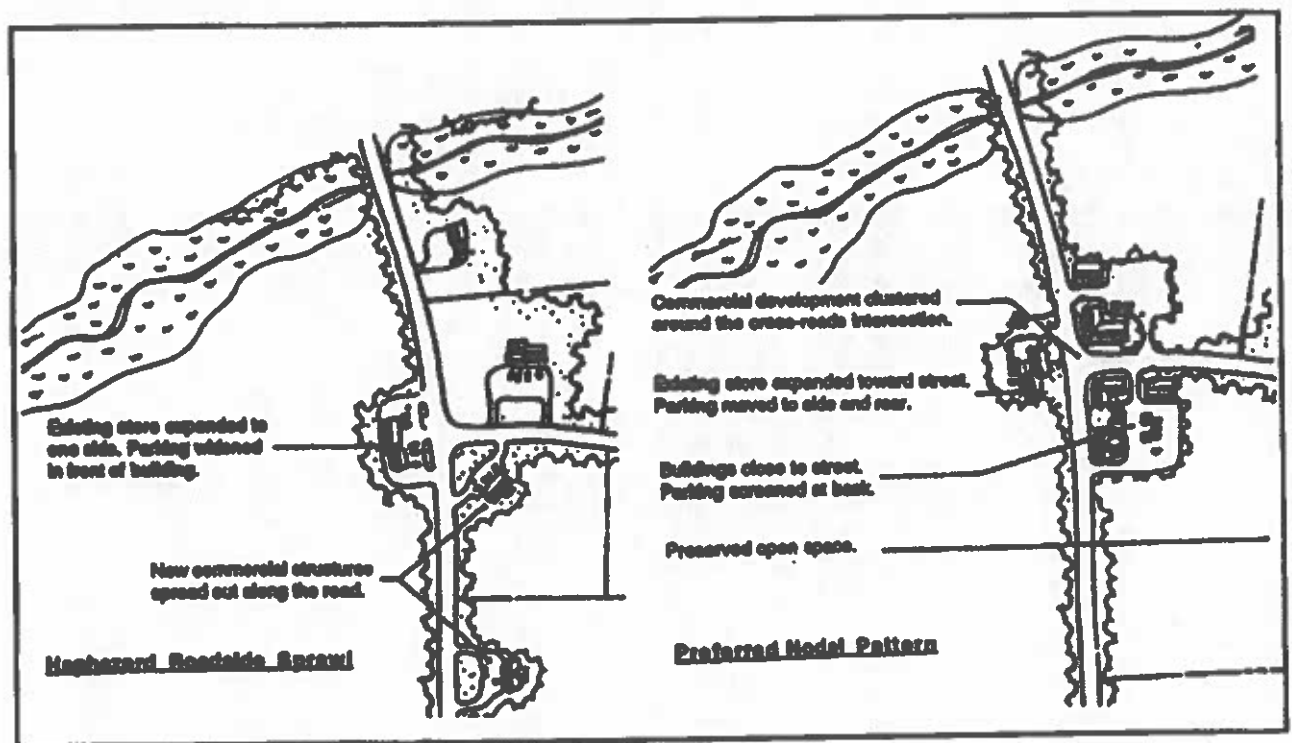
6.5.13. *Parking standards.* All uses within this district shall conform to the standards outlined in article 15: Off-Street Parking Requirements.

6.5.14. *Bufferyard standards.* All uses within this district shall conform to the standards outlined in article 17: Bufferyards. Unless expressly exempted, the buffering standards of this ordinance shall apply to all new nonresidential development and all new residential major subdivisions (15 or more lots).

(Ord. No. 04-11-63, 11-23-2004; Ord. No. 05-08-58, 8-29-2005; Ord. No. 10-08-24, 8-23-2010; Ord. No. 11-04-02, 4-25-2011; Ord. No. 14-03-04, 3-24-2014)

ARTICLE 7. COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS

7.1. Rural and neighborhood commercial district (RNC).



7.1.1. Intent.

A. This district provides for the development of commercial uses in the county's rural areas and urban areas for the development of small-scale commercial uses designed to serve adjacent residential neighborhoods. The regulations of the district are developed to:

1. Minimize roadway hazards caused by numerous or poorly located curb cuts;
2. Landscaping and buffering to adjacent agricultural or residential uses and roads;
3. Strengthen business and commercial activity by concentrating facilities;
4. Dissuade noncomplementary uses that might weaken or conflict with commercial activity;

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5. Strengthen pedestrian and vehicular connections between commercial center and adjacent residential areas.
 - B. Encourage rural and neighborhood commercial development areas to develop in the following manner:
 1. Have a single access point to primary roads in the county.
 2. Provide landscaping and buffering adjacent to agricultural or residential uses and roads.
 - C. Commercial uses will be encouraged to be compatible in scale and integrity with the surrounding landscape.
 - D. This district shall not be strip developments, but small-scale commercial centers that blend with the existing or create a sense of place.
 - E. Existing commercial areas within towns remain the preferred, principal location of community retail and service businesses.

7.1.2. Location.

- A. *Rural commercial district location.* This district should be applied in the agriculture and rural settlement areas at major intersections, and in the rural village areas mapped on the future land use map in the comprehensive plan.
- B. *Neighborhood commercial district location.*
 1. This district should be applied in areas convenient to the neighborhoods that they serve in the residential growth areas mapped on the future land use map in the comprehensive plan.
 2. Automobile access to businesses within this district should be on local access or two-lane minor collector roads and development should be designed, landscaped, and buffered so as to be compatible with neighboring developments.
- C. *[New RNC districts.]* New RNC districts should not have the following characteristics:
 1. Multiple vehicular entrances along highways that present a threat to public safety through numerous vehicular turning movements, and which inhibit higher operating speeds and higher levels of service.

USES

7.1.3. Permitted uses. The following uses are permitted within the RNC rural and neighborhood commercial district:

- A. *Commercial uses.*
 1. Commercial, personal services.
 2. Commercial, professional services.
 3. Convenience retail and/or gas station.
 4. Office.
 5. Restaurant.
 6. Retail sales.
 7. Mixed use.
- B. *Recreation and amusement uses.*
 1. Commercial, indoor recreation.

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2. Commercial, outdoor recreation.
 3. Indoor recreation.
 4. Outdoor recreation, active.
 5. Outdoor recreation, passive.
 6. Ecotourism.
 7. Golf course.
 8. Miniature golf.
- C. *Institutional uses.*
1. Assembly and worship.
 2. Cemetery.
 3. College and professional schools.
 4. Commercial day care center.
 5. Assisted living facility.
 6. School, neighborhood and community.
 7. Local utilities, public service, and government office.
- D. *Residential uses.*
1. Single-family detached.
 2. Manufactured home.
 3. Duplex.
- E. *Storage uses.*
1. Boat storage facility (indoor).

7.1.4. *Accessory uses.* Accessory uses are permitted as a detached structure or use subordinate to the main building or classification that is used for purposes customarily incidental to the principal use. Accessory uses shall not exceed 65 percent of the size of the principal classification.

The following uses are permitted as accessory uses within the RNC rural and neighborhood commercial district:

A. *Commercial.*

1. Bed and breakfast.
2. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

B. *Storage.*

1. Business storage (indoor storage).
2. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any

development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

C. *Institutional and civic.*

1. Refreshment stands and food and beverage sales located in uses involving public assembly;
2. Cafeterias, dining halls, and similar food services when operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
3. Gift shops, newsstands, and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
4. Recreation areas and facilities for the use of the employees;
5. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental, and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

D. *Residential.*

1. Commercial apartment;
2. Home occupation;
3. Fences and walls;
4. Garages, carports, and off-street parking;
5. Guesthouse, gate houses and guard houses;
6. Playhouses, patios, cabanas, porches, gazebos, and incidental household storage buildings;
7. Radio and television receiving antennas;
8. Recreational and play facilities for the use of residents;
9. Tennis courts, swimming pools, and hot tubs;
10. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

7.1.5. *Uses permitted with conditions.* The following uses are permitted as conditional uses within the RNC rural and neighborhood commercial district. All listed conditions shall be demonstrated prior to permit approval. See article 11 for the procedure for approval of conditional uses.

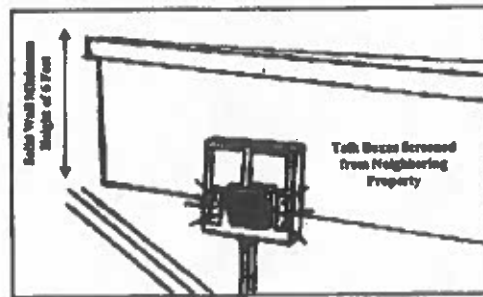
A. *Commercial uses.*

1. Commercial, bar.
 - a. Accessory use only within the RNC district.
 - b. All regulations found in article 11.4 shall be met prior to permit approval.
2. Commercial, carwash.
 - a. Carwash site will be designed so that runoff from the washing bays is contained on site or recycled.
3. Commercial, drive-through window.

a. *District conditions.*

1. *Screening of talk boxes.* Talk boxes shall be screened from adjoining residential property to act as a noise barrier.

- a. Talk boxes shall be screened from adjoining property by a solid wall.
 - i. Minimum height: Six feet.
 - ii. Fence materials: Wood, brick, or masonry.



b. *General conditions.*

1. All conditions and regulations found in article 11.4 shall be met prior to permit approval.

4. *Commercial, general services.*

- a. No primary or accessory outdoor storage uses shall be allowed in the RNC district.

5. *Outdoor sales, rural (refer to article 4.3.1 for types of allowed sales).*

- a. Minimum lot size must be $\frac{1}{2}$ acre - currently minimum lot size for RNC uses is 14,000 sf but this more appropriately applies to the residential uses permitted in the district than commercial uses.
- b. Limit the sales area to no more than 1 acre including the display area and the office.
- c. Restrict the sales lot from having display area lighting for nighttime use in order to minimize the negative impacts the sales lot would have on the character of the rural area and residential users.
- d. Require that all automobiles be immediately ready for display and sale in order to prohibit storage of inoperable/unusable vehicles.

6. *Domestic boarding facility.*

- a. The facility shall be buffered with an opaque eight-foot tall privacy fence between the facility and all adjoining properties in addition to any landscaping requirements found in article 15 of this ordinance.

B. *Recreational uses.*

1. *Campground.*

- a. Located within the agricultural, rural settlement, or rural village areas found mapped on the future land use map in the comprehensive plan.
- b. All conditions and regulations found in article 11.5 shall be met prior to permit approval.

2. Resort/fish camp.

- a. Located within the agricultural, rural settlement, or rural village areas found mapped on the future land use map in the comprehensive plan.
- b. All conditions and regulations found in article 11.5 shall be met prior to permit approval.

C. Institutional uses.

1. Family day care home.

- a. All conditions and regulations found in article 11.5 shall be met prior to permit approval.

7.1.6. *Special exceptions.* (Reserved)

7.1.7. *Prohibited uses.* The following uses are prohibited within the RNC rural and neighborhood commercial district.

1. Sexually oriented businesses.
2. Mobile home park.
3. Outdoor sales, other.
4. All uses not listed as permitted are prohibited.

DENSITY

7.1.8. *Residential density.*

- A. When not subdividing, there shall be no more than two principal dwelling units per one acre (43,560 square feet) of platted land, lot, or parcel. For each additional half acre in land area, one additional dwelling may be permitted, up to a maximum of four dwellings.
- B. In no case shall there be more than four units placed on one parcel.

7.1.9. *Lot requirements.*

A. Minimum lot size:

1. Public water and sewer available: 14,000 square feet.
2. Only public sewer available: 14,000 square feet.
3. Only public water available: 14,000 square feet.
4. Individual wells and septic tanks: 30,000 square feet.

B. Maximum lot size: Five acres.

7.1.10 *Minimum yard requirements.* The minimum setbacks shall be:

- A. Front yard: 20 feet minimum.
- B. Side yard: Ten feet minimum, unless buildings are adjoining.
- C. Rear yard: 20 feet minimum.
- D. Accessory structures are permitted in the rear and side yards only with minimum of five-foot setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the accessory structure is placed in that portion of the yard that fronts a second street frontage of the property, the setback from the second street frontage property line for the accessory structure is the required second street frontage setback for the primary structure.
- E. Second street frontage: 20 feet minimum.

- F. Open drainage ditch and/or stormwater pond easement lines (excluding swales): 30 feet minimum.
- G. Ingress/egress easements: The minimum distance stated above for front, side, or rear.
- H. Single-family attached lots may have a zero foot side setback for a common wall.

7.1.11. Building requirements.

- A. Maximum impervious coverage: 80 percent.
- B. Building height: Less than 40 feet to the highest part of the structure. The height limits contained in the airport overlay district, as regulated by article 10, may apply additional height limitations to a specific piece of property.

SITE STANDARDS

7.1.12. Parking standards. All uses within this district shall conform to the standards outlined in article 15: Off-Street Parking Requirements.

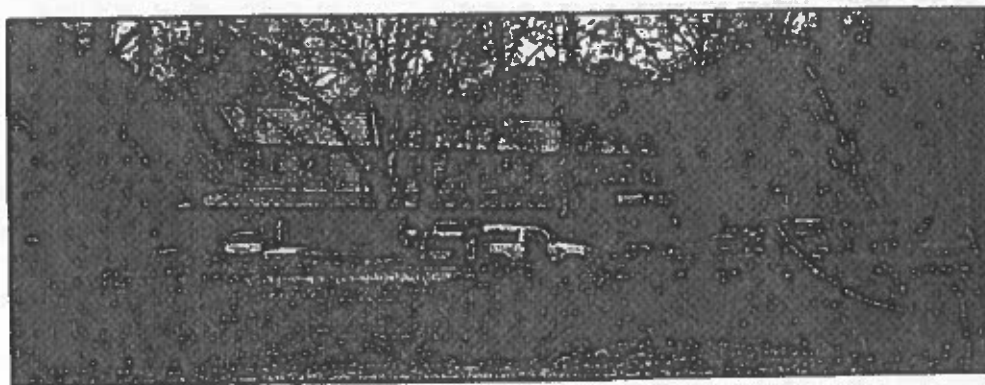
7.1.13. Bufferyards standards. All uses within this district shall conform to the standards outlined in article 17: Bufferyards.

7.1.14. Single site development (site) plan. A single-site development (site) plan, when required, shall be prepared and submitted in accordance with the processes and requirements established in chapter 59, The Land Development and Subdivision Regulations of Berkeley County, is required to be reviewed and, and upon demonstrated conformance to all applicable standards, approved prior to commencement of development and/or redevelopment activities. The plan shall also include, at a minimum, the following information.

- A. The single-site development (site) plan shall also demonstrate conformance to applicable conditional use standards contained herein or specified in article 11.
- B. The single-site development (site) plan shall accompany any necessary supporting documentation or materials required for submittal, review, and/or approval per chapter 59.

(Ord. No. 02-08-33, 8-26-2002; Ord. No. 04-11-68, 11-23-2004; Ord. No. 05-08-58, 8-29-2005; Ord. No. 10-08-24, 8-23-2010; Ord. No. 11-04-02, 4-25-2011; Ord. No. 12-11-33, 11-26-2012; Ord. No. 21-05-24, 5-24-2021)

7.2. General commercial district (GC).



7.2.1. Intent.

- A. This district provides for the development of commercial centers that serve the retail and services needs of the surrounding community within a ten minute drive. The regulations in this district are intended to:

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1. Ensure that developments complement the character of the surrounding community; and
 2. Ensure that appropriate pedestrian linkages with adjacent land uses are included; and
 3. Minimize roadway hazards caused by numerous or poorly located curb cuts; and
 4. Buffer from incompatible uses; and
 5. Strengthen business and commercial activity by concentrating facilities; and
 6. Dissuade noncomplementary uses that might weaken or conflict with commercial activity.
- B. Uses in this district should develop as commercial centers.

7.2.2. Location.

- A. This district shall be applied in areas or nodes designated for mixed use, commercial, and/or employment uses as mapped on the future land use map in the comprehensive plan and where appropriate.
- B. New general commercial districts should have the following characteristics:
1. Be located at the edge of multiple residential communities with direct access to/from at least one of these communities.
 2. Have limited points of access to designated major roadways and an alternative means of access to/from other primary roads.

USES

7.2.3. Permitted uses. The following uses are permitted within the general commercial (GC) district:

- A. *Commercial uses.*
1. Commercial, lodging (hotel and motel).
 2. Commercial, general services.
 3. Commercial, personal services.
 4. Commercial, professional services.
 5. Restaurant.
 6. Retail sales.
 7. Office.
 8. Wholesale sales.
 9. Commercial event venue.
 10. Mixed use.
- B. *Recreation and amusement uses.*
1. Commercial, indoor recreation.
 2. Commercial, outdoor recreation.
 3. Indoor recreation.
 4. Outdoor recreation, active.
 5. Outdoor recreation, passive.

-
6. Ecotourism.
 7. Golf course.
 8. Miniature golf.
 9. Resort/fish camp.
- C. *Institutional uses.*
1. Assembly and worship.
 2. Cemetery.
 3. College and professional schools.
 4. School, neighborhood and community.
 5. Commercial day care center.
 6. Assisted living facility.
 7. Local utilities, public services, and government offices.
- D. *Storage uses.*
1. Business storage (indoor storage).

7.2.4. *Accessory uses.* Accessory uses are permitted as a detached structure or use subordinate to the main building or classification that is used for purposes customarily incidental to the principal use. Accessory uses shall not exceed 65 percent of the size of the principal classification.

The following uses are permitted as accessory uses within the GC general commercial district:

A. *Commercial.*

1. Bed and breakfast.
2. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning and zoning department as a means of ensuring land use compatibility.

B. *Storage.*

1. *Business storage (indoor storage).*
 - a. Freight/cargo containers may be used as accessory uses within this classification for the storage of business supplies, products and/or machinery for temporary time periods only as specified in article 12, Temporary Uses, section 12.2 (Temporary uses—Nonresidential).
2. *Outdoor storage.*
 - a. The proposed outdoor storage use shall meet the requirements for outdoor storage (accessory use) found in section 11.8.2.
3. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning and zoning department as a means of ensuring land use compatibility.

C. *Institutional and civic.*

1. Refreshment stands and food and beverage sales located in uses involving public assembly; and

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2. Cafeterias, dining halls, and similar food services when operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use; and
 3. Gift shops, newsstands, and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use; and
 4. Recreation areas and facilities for the use of the employees; and
 5. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning and zoning department as a means of ensuring land use compatibility.

D. Residential.

1. Commercial apartment; and
2. Home occupation; and
3. Fences and walls; and
4. Garages, carports, and off-street parking; and
5. Guesthouse, gate houses and guard houses; and
6. Playhouses, patios, cabanas, porches, gazebos, and incidental household storage buildings; and
7. Radio and television receiving antennas; and
8. Recreational and play facilities for the use of residents; and
9. Tennis courts, swimming pools, and hot tubs; and
10. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning and zoning department as a means of ensuring land use compatibility.

7.2.5. Uses permitted with conditions. The following uses are permitted as conditional uses within the general commercial district. All listed conditions shall be demonstrated in a single-site development plan or otherwise acceptable exhibit prior to use authorization. See article 11 for the procedure for approval of conditional uses.

A. Commercial uses.

1. **Commercial, bar and/or liquor store.**
 - a. All conditions and regulations found in article 11.4 shall be met prior to permit approval.
2. **Commercial, carwash.**
 - a. Carwash site will be designed so that runoff from the washing bays is contained on-site.
3. **Commercial, drive-through restaurant.**
 - a. All conditions and regulations found in article 11.4 shall be met prior to permit approval.
4. **Outdoor sales, rural.**
 - a. Display of outdoor sales shall meet district setbacks as if part of building footprint.
5. **Outdoor sales, other.**
 - a. Display of outdoor sales shall meet district setbacks as if part of building footprint.

-
6. *Domestic boarding facility.*
 - a. The facility shall be buffered with an opaque eight foot tall privacy fence between the facility and all adjoining properties in addition to any landscaping requirements found in article 15 of this ordinance.
 7. *Convenience retail and/or gas station.*
 - a. There shall be no more than four separated fueling lanes for diesel trucks.
 - b. The sale of goods, petroleum, and/or services intended primarily to serve heavy duty trucks comprised of four or more axles or for the consumption of its crews, including, but not limited to, overnight accommodations, trailer storage or court, weigh scales, showers, and vehicle servicing, maintenance, or repair, is prohibited.
 8. *Transportation (truckstop).*
 - a. The parcel that is subject to development shall be a minimum of ten acres in size.
- B. *Institutional uses.*
1. *Family day care home.*
 - a. All conditions and regulations found in article 11.6 shall be met prior to permit approval.
- C. *Office and industrial uses.*
1. *Commercial communication towers.*
 - a. *List of conditionally approved uses.*
 1. Locating antennas on existing structures with modifications consistent with the conditions (in) article 11.7.
 2. Locating antennas on existing towers with modifications consistent with the conditions (in) article 11.7.
 3. Locating new monopole, guyed, or lattice towers consistent with the conditions (in) article 11.7.
 - b. *District conditions.*
 1. Maximum height: 200 feet, unless a special exception permit is granted by the Berkeley County Zoning Board of Appeals.
 2. A tower and/or antenna mounted on an existing building, water tank, or structure other than a freestanding or guyed tower must not extend more than 20 feet above the highest part of the structure.
 - c. *General conditions.*
 1. All conditions and regulations found in article 11.7 shall be met prior to permit approval.
 2. Proposed communications equipment co-locating [collocating] on existing towers and structure without adding to their height shall not be subject to the requirements of this conditional use.
 2. *Small wireless facilities.*
 - a. The use shall meet all applicable standards found in section 11.7.
- D. *Storage uses.*

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1. *Storage facility (miniwarehouse).*
 - a. *District conditions.*
 1. Facility shall meet all landscaping standards.
 - b. *General conditions.*
 1. All conditions and regulations found in article 11.8 shall be met prior to permit approval.
 2. *Outdoor storage (accessory use).* Outdoor storage may be permitted as an accessory use provided that the proposed outdoor storage use conforms to the requirements found in section 11.8.2.
 - E. *Agricultural uses.*
 1. *Boarding facility.*
 - a. *District conditions.*
 1. Kennels and catteries only.
 - F. *Residential uses.*
 1. *Townhouse/single-family attached.*
 - a. *District conditions.*
 1. *Dimensional and design standards.* Townhouse/single-family attached uses shall conform to the standards found in sections 5.6.10 through 5.6.17 of the Berkeley County Zoning and Development Standards Ordinance, provided however that the proposed building(s) may be eligible for height bonuses found in section 7.2.11(B).
 2. *Multifamily.*
 - a. *District conditions:*
 1. *Dimensional and design standards.* Multifamily residential uses shall conform to the standards found in sections 5.6.10 through 5.6.17 of the Berkeley County Zoning and Development Standards Ordinance, provided however that the proposed building(s) may be eligible for height bonuses found in section 7.2.11(B).

7.2.6. *Special exceptions.* The following uses are permitted as special exception uses within the general commercial district. Applications for special exception shall include a single site development plan, conforming to the requirements outlined for the requested use and all applicable codes, payment of fees established in chapter 47, and any supporting documentation deemed necessary by the planning and zoning director by the required deadline to be eligible for consideration by the board of zoning appeals (BZA). The board of zoning appeals (BZA) will evaluate the request in accordance with the standards, criteria, and processes set forth in articles 11 and 21.

1. *Outdoor storage (primary use).*
 - A. The applicant shall submit site and operations plans to the zoning administrator or his/her designee, indicating the following:
 - i. *Screening.* Outdoor storage shall be enclosed by opaque fencing of at least eight feet in height, but no greater than 12 feet, as well as conform to the buffering requirements applicable to business and retail uses per articles 17 and 10.3, as applicable. For the side(s) of the facility that are within 500 feet of a street or shared access, the continuous screen

shall be constructed of wood, brick, and/or masonry. For the side(s) of the facility that that are located 500 or more feet from a street or shared access, the screen shall be constructed of wood, brick, masonry, and/or chain link with opaque slats. The Applicant shall specify the extent and type of vegetative buffering to be used to protect adjoining properties as prescribed in article 17.

- ii. **Materials stored.** Materials, products, appliances, equipment, and/or vehicles stored in the open shall not be permanently stacked higher than the required screen and shall not include the storage of any material/substance that is required to be reported pursuant to the provisions of the Superfund Amendments and Reauthorization Act (SARA), title III, the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and section 112(r) of the Clean Air Act (CAA)), flammable and/or combustible substances/materials, junked and/or salvaged vehicles or boats (or parts thereof), appliances, equipment, or other junked or salvaged materials (otherwise known as junk or salvage yards), and the storage of any material or substance intended for disposal. No portion of the outdoor storage yard shall be used for the sale, repair, dismantling, or servicing of any materials, products, appliances, equipment, or vehicles.
- iii. **Hours of operation.** The outdoor storage use shall operate between the hours of 6:00 a.m. to 10:00 p.m. In making an application to the board of zoning appeals, the applicant shall indicate the intended hours of operation in the site and operations plans. The BZA may limit hours of operation if it finds it necessary to mitigate adverse impacts to adjoining uses and retain neighborhood compatibility.
- iv. **Nuisance mitigation.** No outdoor storage activity shall create a nuisance or unduly disrupt the allowed uses of other property. Traffic, noise, and odors generated by the activity shall be considered when evaluating this criterion with respect to residential areas.
- v. **Separation standards.** The outdoor storage use shall not operate within 500 feet of a public or private school, a public park or public recreation area (within the Francis Marion National Forest, includes only designated recreation areas), a residential use, a youth activity center, a public library, or a licensed childcare facility, a lot zoned primarily for residential use, or another existing or entitled (but not yet constructed) outdoor storage (primary use) facility. The applicant shall indicate the distance of the site from the nearest property that contains a residential use. The board of zoning appeals (BZA) may permit reductions in this separation standard upon demonstration of adequate alternative measures to attenuate noise and other adverse impacts. The board may consider written consent from the affected adjoining landowner(s) to the reduction and alternative measures proposed.

For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the outdoor storage use to the nearest property line of the premises of a religious institution, public or private school, youth activity center, public library, child care facility, or to a residential use; to the nearest boundary of a parcel that contains an existing or entitled (but not yet constructed) outdoor storage (primary use) facility; to the nearest boundary of any residential district or residential lot; and to the nearest active portion of a public park or public recreation area (within the Francis Marion National Forest, includes only designated recreation areas).

- vi. **Management.** All outdoor storage activities shall have a designated manager; and said manager shall be sufficiently bonded to ensure that, in case of abandonment, the site will be rehabilitated and restored, and that all permit conditions regarding the final disposition

of the site will be fulfilled. Assurances of bonds or other financial securities shall be submitted to the department.

- vii. *Contact information.* The name, address, and phone number of the applicant and site manager.
 - viii. *Storage specifics.* A description and physical location of materials, vehicles, and/or equipment intended to be stored, including a detailed, step-by-step description of the proposed activities and methods that will be used to ensure that all stored substances will not create objectionable sanitary, aesthetic, or other nuisance conditions. If applicable, describe the methods and procedures for dealing with spills of liquid materials.
 - ix. *Drainage and maintenance.* The outdoor storage yard shall be surfaced with asphalt, concrete, bituminous, gravel, or other material approved by the board of zoning appeals, conform with applicable stormwater management requirements, and be maintained in a clean, orderly, dust-free and weed-free condition at the expense of the operator.
 - x. *Parking and access.* The outdoor storage use shall contain the number of parking required for "Wholesaling, Warehousing, and Distribution Uses" per article 15, but in no case shall the number of parking spaces required be less than two. The parking and accesses serving the outdoor storage use shall be designed and constructed in accordance with articles 15 and 10.3 of the Berkeley County Zoning and Development Standards Ordinance and chapter 59, the Land Development and Subdivision Regulations of Berkeley County, as applicable.
 - xi. *Building code.* The outdoor storage use shall meet all applicable fire and building code requirements, as determined by the chief building official or his/her designee, prior to the commencement of operations and at all times thereafter.
 - xii. *All other regulations.* The outdoor storage use shall meet all applicable local, state, federal requirements that are not explicitly stated herein prior to the commencement of operations and at all times thereafter.
 - xiii. *Transportation considerations.* The applicant shall indicate the roads and transportation corridors that will be used to support the proposed activities, the types of vehicles, estimated numbers of vehicles and trips, and times of day that traffic can be expected to be generated. The applicant will also furnish to the department any encroachment permits that are required to be issued for the encroachment of access and/or drainage into publicly maintained roads and/or drainage systems from the entity who maintains said roads and/or drainage systems.
- B. *Commencement.* Construction of the outdoor storage facility and associated site improvements shall not commence until a special exception is issued by the board, the associated single site development (site) plan is reviewed by all qualifying departments and, upon demonstrated compliance to the requirements contemplated herein and any additional conditions imposed by the board, approved in accordance with the processes and requirements set forth in chapter 59, and all applicable building, trades, and other permits have been issued.
- C. *Permit compliance.* Should the board of zoning appeals (BZA) approve a request for special exception, operations shall not commence until the site is inspected by applicable county personnel and deemed to be in conformance with the approved single site development (site) plan, the requirements contemplated herein and any additional conditions imposed by the board, and applicable authorizations for occupancy have been issued by the building and codes department. The applicant and/or operator shall meet the conditions of the special exception permit and this chapter prior to the commencement of operations and at all times thereafter.

7.2.7. *Prohibited uses.* The following uses are prohibited within the general commercial district.

1. Sexually oriented businesses.
2. Mobile home park.
3. All uses not listed as permitted are prohibited.

DENSITY

7.2.8. *Residential density.*

- A. Residential development shall not exceed a gross density of ten dwelling units to the acre per project area.
- B. Innovative site design, qualifying for density bonus, may be permitted as subject to the conditions and requirements established in section 13.11.

LOT AND BUILDING STANDARDS

7.2.9. *Lot requirements.*

- A. Minimum lot size: 0.5 acres.
- B. Maximum lot size: 50 acres.

7.2.10. *Minimum yard requirements.* The minimum setbacks shall be:

- A. Front yard: 20 feet minimum.
- B. Side yard: Ten feet minimum, unless buildings are adjoining.
- C. Rear yard: 20 feet minimum.
- D. Accessory structures are permitted in the rear and side yards with minimum of five foot setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the accessory structure is placed in the front yard or that portion of the yard that fronts a second street frontage of the property, the front yard setback or the setback from the second street frontage property line for the accessory structure is the required front setback or second street frontage setback required for the primary structure, as applicable.
- E. Second street frontage: 25 feet minimum.
- F. Open drainage ditch and/or stormwater pond easement lines (excluding swales): 30 feet minimum.
- G. Ingress/egress easements: The minimum distance stated above for front, side, or rear.
- H. Unit separation: The minimum distance between dwelling units shall be 15 feet on the sides, front, and rear, provided, however, that attached units may have a zero foot side setback for a common wall.

7.2.11. *Building requirements.*

- A. Maximum impervious coverage: 80 percent.
- B. Building height will be governed by the current adopted building codes of Berkeley County. After the height limitations are reviewed, the building and/or zoning official may impose additional restrictions. During the required planning and code review the official will give consideration to the structure design and the county's abilities to gain adequate access for firefighting personnel and that such building is designed or is equipped to provide adequate protection against the dangers of fire, and/or that such building is served by an internal fire service organization. The applicant shall incorporate building techniques and safety features as necessary to demonstrate capacity to handle unforeseeable emergencies (such as fires) to the satisfaction of the fire marshal.

Building height within the general commercial district will be held to a base height of 40 feet.

1. Height bonus: Increases in height may be issued at the discretion of the zoning administrator or his/her designee in the increments specified below to a maximum building height of 55 feet in accordance with the following parameters. Proposals for height bonuses shall be evaluated as part of site and building plans review; the zoning administrator or his/her designee, retains the ability to request any supporting documentation necessary to complete his/her review.
 - a. Where perimeter bufferyards are required, if the applicant provides perimeter bufferyards that are twice the width and contain twice the quantity of plantings minimally required along each perimeter lot line or, in cases where no perimeter bufferyards are required, if the applicant provides perimeter bufferyards along the adjoining lot line(s) that are equivalent to the Type C bufferyard per article 17.7, add 2.5 feet in allowable height.
 - b. Should the proposed structure be designed to LEED Certification, add three feet to allowable height; LEED Silver Certification, add six feet to the allowable height; LEED Gold Certification, add nine feet to the allowable height; and LEED Platinum Certification, add 12 feet to the allowable height. Assurances of certification eligibility will be required before the single-site development (site) plans are approved, and applicable building permits issued.
 - c. For every ten percent reduction in impervious surface coverage below the required maximum impervious coverage threshold, through creative site design, land setbacks, and/or installation of bona fide low-impact development (LID) techniques based on the "Low Impact Development in Coastal South Carolina: A Planning and Design Guide" or otherwise acceptable technical guidance, add four feet to the allowable height to a maximum of 12 feet. The zoning administrator or his/her designee retains the ability to request assurances to ensure perpetual maintenance, preservation, and functionality of said improvements and/or setbacks.
 - d. If pedestrian facilities, constructed to a minimum unobstructed width of five feet and compliant to ADA specifications, are provided throughout and connect the intended use(s) to existing and/or proposed sidewalk facilities within the public right-of-way and adjoining properties, add two and one-half feet to the allowable height.
 - e. If cross accesses and/or shared accesses are provided to neighboring properties, allowing access to adjoining properties without utilizing adjoining public roadways, add two and one-half feet to the allowable height.
 - f. If street trees are provided and maintained in accordance with the Berkeley County Street Tree Planting Standards Manual along all streets or primary access drives proposed to serve the development, add two and one-half feet to the allowable height.

The height limits contained in the airport overlay district, as regulated by article 10, may apply additional height limitations to a specific piece of property.

SITE STANDARDS

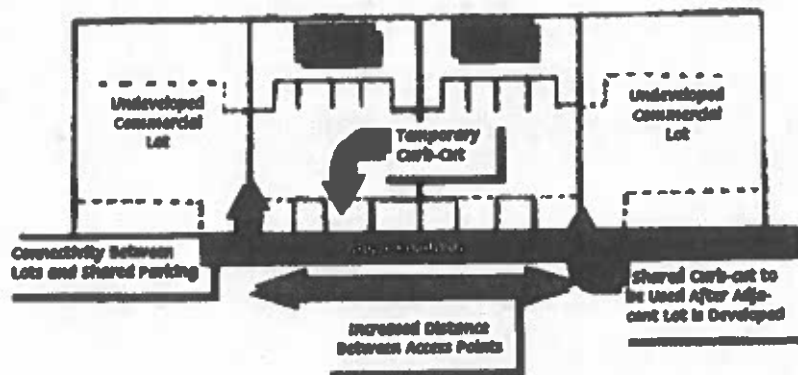
7.2.12. *Parking standards.*

- A. All uses within this district shall conform to the standards outlined in article 15: Off Street Parking Requirements.
- B. All surface parking areas of 50 or more spaces shall be divided by landscaping and/or walkways at least ten feet.

7.2.13. *Bufferyard standards.* All uses within this district shall conform to the standards outlined in article 17, Bufferyards, or article 10.3, Arterial Roads Development Standards Overlay District.

7.2.14. *Access management.*

- A. *Intent.* Safe and efficient access to commercial uses minimizes potential vehicular and pedestrian conflicts. Key issues include:
1. Location of median breaks along major thoroughfares.
 2. Number and location of entry drives.
 3. Design of entry drives.
 4. Traffic visibility.
- B. *Requirements.*
1. The number, location, and design of project accesses shall comply with the requirements set forth in chapter 59, The Land Development and Subdivision Regulations of Berkeley County.
 2. Cross-access shall be established in accordance with chapter 59, the Land Development and Subdivision Regulations of Berkeley County.

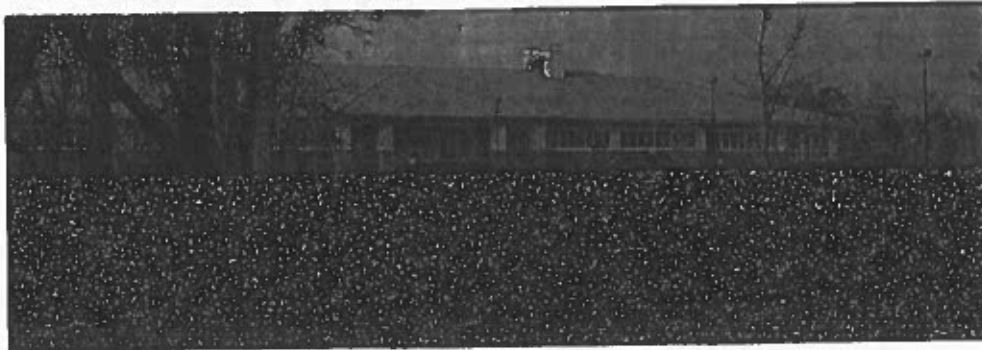


7.2.15. *Single-site development (site) plan.* A single-site development (site) plan, prepared and submitted in accordance with the processes and requirements established in chapter 59, The Land Development and Subdivision Regulations of Berkeley County, is required to be reviewed and, and upon demonstrated conformance to all applicable standards, approved prior to commencement of development and/or redevelopment activities. The plan shall also include, at a minimum, the following information.

- A. The single-site development (site) plan shall also demonstrate conformance to applicable conditional use standards contained herein or specified in article 11.
- B. The single-site development (site) plan shall accompany any necessary supporting documentation or materials required for submittal, review, and/or approval per chapter 59.

(Ord. No. 02-08-33, 8-26-2002; Ord. No. 02-12-58, 12-16-2002; Ord. No. 04-11-68, 11-23-2004; Ord. No. 05-08-58, 8-29-2005; Ord. No. 10-08-24, 8-23-2010; Ord. No. 11-04-02, 4-25-2011; Ord. No. 21-01-03, 1-25-2021; Ord. No. 21-05-24, 5-24-2021)

7.3. Office and institutional district (OI).



7.3.1. *Intent.* This district is intended to:

1. Encourage the development of office and institutional complexes.
2. Permit the orderly transition of residential and other developed or developing areas of office and institutional uses.
3. Prohibit the infiltration of incompatible uses.
4. Permit the location of needed community facilities in support of permitted uses.

7.3.2. *Location.* This district shall be applied in the residential growth areas and office and light industry areas mapped on the future land use map in the comprehensive plan.

USES

7.3.3. *Permitted uses.* The following uses are permitted within the office and institutional (OI) district:

A. *Commercial uses.*

1. Commercial lodging, hotels and motels.
2. Commercial, personal services.
3. Commercial, professional services.
4. Restaurant.
5. Office.
6. Mixed use.

B. *Recreation and amusement uses.*

1. Commercial, indoor recreation.
2. Commercial, outdoor recreation.
3. Indoor recreation.
4. Outdoor recreation, active.
5. Outdoor recreation, passive.
6. Ecotourism.
7. Golf course.

8. Miniature golf.

C. *Institutional uses.*

1. Assembly and worship.
2. Cemetery.
3. College and professional schools.
4. Neighborhood and community schools.
5. Assisted living facility.
6. Commercial day care center.
7. Government offices, public services, and local utilities.

D. *Storage uses.*

1. Business storage (indoor storage).

7.3.4. *Accessory uses.* Accessory uses are permitted as a detached structure or use subordinate to the main building or classification that is used for purposes customarily incidental to the principal use. Accessory uses shall not exceed 65 percent of the size of the principal classification.

The following uses are permitted as accessory uses within the OI office and institutional district:

A. *Commercial.*

1. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

B. *Storage.*

1. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

C. *Institutional and civic.*

1. Refreshment stands and food and beverage sales located in uses involving public assembly;
2. Cafeterias, dining halls, and similar food services when operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
3. Gift shops, newsstands, and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
4. Recreation areas and facilities for the use of the employees;
5. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

D. *Residential.*

1. Commercial apartment;

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2. Home occupation;
 3. Fences and walls;
 4. Garages, carports, and off-street parking;
 5. Guesthouse, gate houses and guard houses;
 6. Playhouses, patios, cabanas, porches, gazebos, and incidental household storage buildings;
 7. Radio and television receiving antennas;
 8. Recreational and play facilities for the use of residents;
 9. Tennis courts, swimming pools, and hot tubs;
 10. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

7.3.5. Uses permitted with conditions. The following uses are permitted as conditional uses within the office and institutional district. All listed conditions shall be demonstrated prior to permit approval. See article 11 for the procedure for approval of conditional uses.

A. Institutional uses.

1. Family day care home.
 - a. All conditions and regulations found in article 11.6 shall be met prior to permit approval.

B. Office and industrial uses.

1. Commercial communication towers.
 - a. *List of conditionally approved uses.*
 1. Locating antennas on existing structures with modifications consistent with the conditions [in] article 11.7.
 2. Locating antennas on existing towers with modifications consistent with the conditions [in] article 11.7.
 3. Locating new monopole, guyed, or lattice towers consistent with the conditions [in] article 11.7.
 - b. *District conditions.*
 1. Maximum height: 150 feet, unless a special exception permit is granted by the Berkeley County Zoning Board of Appeals.
 2. A tower and/or antenna mounted on an existing building, water tank, or structure other than a freestanding or guyed tower must not extend more than 20 feet above the highest part of the structure.
 - c. *General conditions.*
 1. All conditions and regulations found in article 11.7 shall be met prior to permit approval.
 2. Proposed communications equipment co-locating [collocating] on existing towers and structure without adding to their height shall not be subject to the requirements of this conditional use.

C. *Multifamily residential uses.*

1. *Multifamily.*

a. *District conditions.*

- i. *Dimensional and design standards.* Multifamily residential uses shall conform to the standards found in sections 5.6.10 through 5.6.17 of the Berkeley County Zoning and Development Standards Ordinance, provided however that the proposed building(s) may be eligible for height bonuses found in section 7.3.12(B).

7.3.6. *Special exceptions.* (Reserved)

7.3.7. *Prohibited uses.* The following uses are prohibited within the OI office and institutional district.

1. Mobile home park.
2. Outdoor storage and sales.
3. Sexually oriented business.
4. All uses not listed as permitted are prohibited.

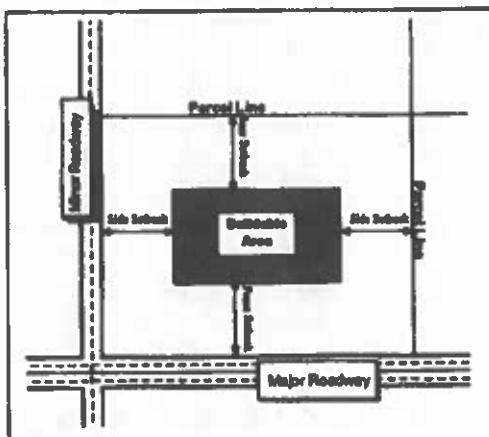
DENSITY

7.3.8. *Residential density.*

- A. Maximum density: Ten dwelling units per acre, based on project area.
- B. Innovative site design, qualifying for density bonus, may be permitted as subject to the conditions and requirements established in section 13.11.

7.3.9. *Lot requirements.*

- A. Minimum lot size: 0.5 acres.
- B. Minimum lot frontage.
 1. Standard lot: 20 feet.
 2. Corner lot: 40 feet.



Lot and Building Standards

7.3.10. *Minimum yard requirements.* The minimum setbacks shall be:

- A. Front yard: 20 feet minimum.
- B. Side yard: ten feet minimum, unless buildings are adjoining.
- C. Rear yard: 20 feet minimum.
- D. Accessory structures are permitted in the rear and side yards only with minimum of five foot setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the accessory structure is placed in the front yard and/or that portion of the yard that fronts a second street frontage of the property, the front yard setback and/or the setback from the second street frontage property line for the accessory structure is the required front setback and/or second street frontage setback for the primary structure, as applicable.
- E. Second street frontage: 20 feet minimum.
- F. Open drainage ditch and/or stormwater pond easement lines (excluding swales): 30 feet minimum.
- G. Ingress/egress easements: The minimum distance stated above for front, side, or rear.
- H. Single-family attached lots may have a zero foot side setback for a common wall.

7.3.11. *Unit separation.* The minimum distance between structures shall be:

- A. Side to side: 15 feet minimum.
- B. Front to front or rear: 15 feet minimum.
- C. Rear to rear: 15 feet minimum.

7.3.12. *Building requirements.*

- A. Impervious coverage: 80 percent maximum.
- B. Building height will be governed by the current adopted building codes of Berkeley County and as stated herein. After the height limitations are reviewed, the building and/or zoning official may impose additional restrictions. During the required planning and code review, the official will give consideration to the design of the structure(s) and the county's abilities to gain adequate access for firefighting personnel, and that such building is designed or is equipped to provide adequate protection against the dangers of fire, and/or that such building is served by an internal fire service organization. The applicant shall incorporate building techniques and safety features as necessary to demonstrate capacity to handle unforeseeable emergencies (such as fires) to the satisfaction of the fire marshal or designee. Building height will be held to a base height of 40 feet.
 - 1. Height bonus: Increases in height may be issued at the discretion of the zoning administrator or his/her designee in the increments specified below to a maximum building height of 55 feet in accordance with the following parameters. Proposals for height bonuses shall be evaluated as part of site and building plans review; the zoning administrator or his/her designee, retains the ability to request any supporting documentation necessary to complete his/her review.
 - a. Where perimeter bufferyards are required, if the applicant provides perimeter bufferyards that are twice the width and contain twice the quantity of plantings minimally required along each perimeter lot line or, in cases where no perimeter bufferyards are required, if the applicant provides perimeter bufferyards along the adjoining lot line(s) that are equivalent to the Type C bufferyard per article 17.7, add two and one-half feet in allowable height.
 - b. Should the proposed structure be designed to LEED Certification, add three feet to allowable height; LEED Silver Certification, add six feet to the allowable height; LEED Gold

Certification, add nine feet to the allowable height; and LEED Platinum Certification, add 12 feet to the allowable height. Assurances of certification eligibility will be required before the single-site development (site) plans are approved, and applicable building permits issued.

- c. For every ten percent reduction in impervious surface coverage below the required maximum impervious coverage threshold, through creative site design, land setbacks, and/or installation of bona fide low impact development (LID) techniques based on the "Low Impact Development in Coastal South Carolina: A Planning and Design Guide" or otherwise acceptable technical guidance, add four feet to the allowable height to a maximum of 12 feet. The zoning administrator or his/her designee retains the ability to request assurances to ensure perpetual maintenance, preservation, and functionality of said improvements and/or setbacks.
 - d. If pedestrian facilities, constructed to a minimum unobstructed width of five feet and compliant to ADA specifications, are provided throughout and connect the intended use(s) to existing and/or proposed sidewalk facilities within the public right-of-way and adjoining properties, add two and one-half feet to the allowable height.
 - e. If cross accesses and/or shared accesses are provided to neighboring properties, allowing access to adjoining properties without utilizing adjoining public roadways, add two and one-half feet to the allowable height.
 - f. If street trees are provided and maintained in accordance with the Berkeley County Street Tree Planting Standards Manual along all streets or primary access drives proposed to serve the development, add two and one-half feet to the allowable height.
2. The height limits contained in the airport overlay district, as regulated by article 10, may apply additional height limitations to a specific piece of property.

SITE STANDARDS

7.3.13. *Parking standards.* All uses within this district shall conform to the standards outlined in article 15: Off-Street Parking Requirements.

7.3.14. *Bufferyard standards.* All uses within this district shall conform to the standards outlined in article 17: Bufferyards.

7.3.15. *Single-site development (site) plan.* A single-site development (site) plan, prepared and submitted in accordance with the processes and requirements established in chapter 59, The Land Development and Subdivision Regulations of Berkeley County, is required to be reviewed and, and upon demonstrated conformance to all applicable standards, approved prior to commencement of development and/or redevelopment activities. The plan shall also include, at a minimum, the following information.

- A. The single-site development (site) plan shall also demonstrate conformance to applicable conditional use standards contained herein or specified in article 11.
- B. The single site development (site) plan shall accompany any necessary supporting documentation or materials required for submittal, review, and/or approval per chapter 59.

(Ord. No. 02-08-33, 8-26-2002; Ord. No. 04 11 68, 11-23-2004; Ord. No. 05 08-58, 8-29-2005; Ord. No. 10-08-24, 8-23-2010; Ord. No. 11-04-02, 4-25-2011; Ord. No. 21-05-24, 5-24-21)

7.4. Light industrial district (LI).



7.4.1. Intent.

A. This district is intended to:

1. Provide for areas within the county where commerce and/or light industrial uses and compatible uses may take place, including, but not limited to, product assemblage and repair, research and development, office/service facilities, and indoor storage/warehousing/manufacturing or finished parts or products, or other similar uses.
2. To reserve and protect sites suitable for commerce and/or light industrial development.

7.4.2. Location. This district shall be applied in the residential growth areas and office and light industry areas mapped on the future land use map in the comprehensive plan.

USES

7.4.3. Permitted uses. The following uses are permitted within the LI light industrial district:

A. Agricultural uses.

1. Agriculture, crop.
2. Forestry.
3. Agriculture, sales and services.
4. Sale of products produced on site.
5. Agriculture, storage.

B. Commercial uses.

1. Commercial, general services.
2. Commercial, lodging (hotel and motel).
3. Commercial, personal services.
4. Commercial, professional services.
5. Convenience retail and/or gas station.
6. Office.
7. Outdoor sales.

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8. Restaurant.
 9. Retail sales.
 10. Wholesale sales.
 11. Transportation (truckstop).
- C. *Industrial uses.*
1. Transportation.
 2. Light manufacturing.
 3. Manufacturing services (construction).
 4. Manufacturing services (other).
- D. *Recreation and amusement uses.*
1. Commercial, indoor recreation.
 2. Commercial, outdoor recreation.
 3. Indoor recreation.
 4. Outdoor recreation, active.
 5. Outdoor recreation, passive.
 6. Resort/fish camp.
 7. Ecotourism.
 8. Golf course.
 9. Miniature golf.
- E. *Institutional uses.*
1. Assembly and worship.
 2. Cemetery.
 3. College and professional schools.
 4. Neighborhood and community schools.
 5. Commercial day care center.
 6. Protective care.
 7. Government office, public services, and local utilities.
- F. *Storage uses.*
1. Business storage (indoor storage).

7.4.4. *Accessory uses* Accessory uses are permitted as a detached structure or use subordinate to the main building or classification that is used for purposes customarily incidental to the principal use. Accessory uses shall not exceed 65 percent of the size of the principal classification. Freight/cargo containers may be used as accessory storage uses within this classification with restrictions as defined below in sub-item C. (Storage), 1. (Business storage (indoor storage)).

The following uses are permitted as accessory uses within the LI light industrial district:

A. Commercial.

1. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

B. Industrial.

1. Maintenance shops and vehicle storage.
2. Residential uses which are incidental or accessory to a principal use or to another accessory use or which are for caretakers, security personnel, managers, or other persons whose physical proximity to a principal use or to a principal use or to another accessory use is reasonably required. (Examples of such accessory uses include, but are not limited to, caretaker cottages, temporary guest facilities, on-site residence for supervisory personnel, conference centers, and meeting rooms with overnight accommodations.)
3. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

C. Storage.

1. Business storage (indoor storage). Freight/cargo containers may be permitted by the county for the storage of agricultural, industrial and business supplies, products and/or machinery. Freight/cargo containers used as accessory structures are limited to those parcels in size of two acres or more. The container must adhere to all necessary zoning and building codes.
2. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

D. Institutional and civic.

1. Refreshment stands and food and beverage sales located in uses involving public assembly;
2. Cafeterias, dining halls, and similar food services when operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
3. Gift shops, newsstands, and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
4. Recreation areas and facilities for the use of the employees;
5. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

7.4.5. Uses permitted with conditions. The following uses are permitted as conditional uses within the LI light industrial district. All listed conditions shall be demonstrated prior to permit approval. See article 11 for the procedure for approval of conditional uses.

A. Institutional uses.

1. Family day care home.

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- a. All conditions and regulations found in article 11.5 shall be met prior to permit approval.
 - B. *Office and industrial uses.*
 - 1. *Commercial communication towers.*
 - a. *List of conditionally approved uses.*
 - 1. Locating antennas on existing structures with modifications consistent with the conditions [in] article 11.7.
 - 2. Locating antennas on existing towers with modifications consistent with the conditions [in] article 11.7.
 - 3. Locating new monopole, guyed, or lattice towers consistent with the conditions [in] article 11.7.
 - b. *District conditions.*
 - 1. Maximum height: 300, unless a special exception permit is granted by the Berkeley County Zoning Board of Appeals.
 - 2. A tower and/or antenna mounted on an existing building, water tank, or structure other than a freestanding or guyed tower must not extend more than 20 feet above the highest part of the structure.
 - c. *General conditions.*
 - 1. All conditions and regulations found in article 11.7 shall be met prior to permit approval.
 - 2. Proposed communications equipment co-locating (collocating) on existing towers and structure without adding to their height shall not be subject to the requirements of this conditional use.
 - 2. *Mining.*
 - a. Site must be buffered in accordance with mine buffer as defined in section 17.7 and other applicable sections of the zoning ordinance.
 - b. Dust reduction measures must be employed to alleviate both on-site and off-site dust nuisance generated by the mine site's activities. These measures include, but are not limited to, one or more of the following:
 - 1. Stabilization of nonactive exposed soil and stockpiles through vegetation, mulching, chemical stabilizers, and/or stone/gravel layering.
 - 2. Utilization of stabilized roadways within the site.
 - 3. On-site speed limits to minimize disturbance.
 - 4. Application of water or other dust palliatives.
 - c. DHEC reclamation and regulations must be observed.
 - d. An emergency contact sign not to exceed four square feet with light reflective and minimum four inch letters that includes the name of the operator and an after hours phone number must be erected at the entrance. The sign must be placed a minimum ten feet from the road right of way but no more than 25 feet from the road right-of-way, and must be appropriately maintained through out the operation of the mine site.

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- e. Must comply with Berkeley County Noise Ordinance and, for sites located within the MS4 area, the Berkeley County Stormwater Management Ordinance.
 - f. Mine sites with pit sizes greater than five acres and/or greater than 20 feet deep shall not operate within 400 feet of a public or private school, a public park or public recreation area (within the Francis Marion National Forest, includes only designated recreation areas), a residential use, a youth activity center, a public library, or a licensed child care facility.

For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the mine pit to the nearest eave of the premises of a religious institution, public or private school, youth activity center, public library, child care facility, or to a residential use, and to the nearest active portion of a public park or public recreation area (within the Francis Marion National Forest, includes only designated recreation areas).

A mining operation lawfully operating as a conforming use is not rendered a nonconforming use by the location of a religious institution, public or private school, public park or recreation area (within the Francis Marion National Forest, includes only designated recreation areas), a residential use, youth activity center, public library, or child care facility subsequent to the grant or renewal of a mining permit.

- g. Mine sites with pit sizes greater than five acres and/or greater than 20 feet deep where surface water features remain or a depressed area is created, a final grading plan matched to the proposed end use, as specified in the DHEC reclamation plan, shall be submitted. The final grading plan shall demonstrate that sufficient land is to remain unexcavated or that the excavation will be done in a manner permitting the development to conform to this chapter's regulations without any variances.

C. Storage uses.

1. Storage facility (miniwarehouse).

a. District conditions.

- 1. Facility shall meet all landscaping standards.
- 2. Open storage shall meet the requirements for outdoor storage.

b. General conditions.

- 1. All conditions and regulations found in article 11.8 shall be met prior to permit approval.
- 2. Outdoor storage (primary use).
 - a. **Screening.** Open storage shall be enclosed by a continuous visual screen provided and maintained as well as buffering requirements found in article 17. The continuous screen shall be wood, brick, masonry, or chain link with opaque slats and not less than eight feet in height and shall not exceed 12 feet in height.
 - b. **Materials stored.** Materials stored in the open shall not be permanently stacked higher than the required screen.
 - c. No outdoor storage activity shall create a nuisance or unduly disrupt the allowed uses of other property. Vehicle transportation associated with the activity shall be considered when evaluating this criterion with respect to residential areas.

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- d. All outdoor storage activities must have a designated manager; and said manager must be sufficiently bonded to ensure that, in case of abandonment, the site will be rehabilitated and restored, and that all permit conditions regarding the final disposition of the site will be fulfilled.
 - e. For all outdoor storage activities that are subject to permitting by the S.C. Department of Health and Environmental Control (DHEC), information supplied to DHEC under the permit process may be used for the required submission to Berkeley County; provided, however, that where these criteria request information in addition to that provided to DHEC, such additional information must be provided in full. A DHEC permit does not constitute full compliance with the provisions of the Berkeley County zoning and development standards ordinance.
 - f. *Required information.* The applicant shall provide the zoning administrator with information as specified below. The zoning administrator shall confer with other county officials as appropriate, and within 60 days of submission of a complete application, shall either approve the conditional use or deny the permit application. Both permit denials and conditions shall be based upon these criteria and the information required of the applicant.
 - 1. Applicant: name, address, phone number.
 - 2. If the applicant will not actually manage the activities on site, provide the manager's name, address, and phone number
 - 3. Is the applicant or manager bonded? If so, provide details.
 - 4. What are the proposed activities? Where are they proposed to occur? List the substances that are proposed for storage or disposal. Indicate which, if any, of these substances has been designated as a hazardous material or is required to be disclosed pursuant to the provisions of the Superfund Amendments and Reauthorization Act (SARA), title III (Public Law 99-499, 199 Stat. 1613 (1986)).
 - 5. Provide a site map. If certain areas of the site are to be used for storage/disposal of hazardous substances and/or substances required to be disclosed pursuant to SARA, title II (supra), show such areas on the site map.
 - 6. Provide a detailed, step-by-step description of the proposed activities. Describe the methods for ensuring that all stored/disposed substances will not create objectionable sanitary, aesthetic, or other nuisance conditions. If applicable, describe the methods and procedures for dealing with spills of liquid materials.
 - 7. Indicate hours of operation for activities on-site.
 - 8. Indicate the type and extent of outdoor lighting that will be used, and the duration of such lighting (e.g., 24 hours, will end at midnight, etc.)

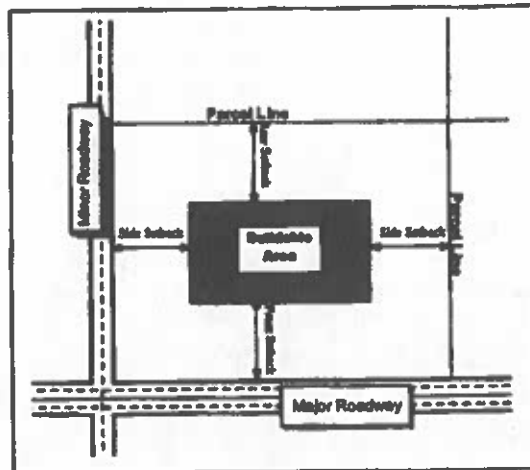
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9. Indicate the type, extent, and duration of machinery noise that will be associated with activities on site.
 10. Specify the extent and type of vegetative buffering to be used to protect adjoining properties.
 11. Specify the distance of the site from the nearest property zoned specifically for residential use (R1, R1-MM, R2, R3, R4, R5, R1-R, R2-R, R15, AG, Flex1).
 12. Submit a drainage plan that meets the requirements of Berkeley County Drainage Ordinance No. 89-4-9, as amended.
 13. Indicate what roads and transportation corridors will be used to support the proposed activities, and indicate the types of vehicles, estimated numbers of vehicles and trips, and times of day that traffic can be expected to be generated.
3. Outdoor storage (accessory use).
 - a. Permitted as an accessory use which shall be defined as a detached structure or use subordinate to the main building or use classification that is used for purposes customarily incidental to the principal use.
 - b. Outdoor storage activity shall not exceed 50 percent of the total land area of the principle use and does not include the storage of junked and/or salvaged vehicles/materials otherwise known as junk or salvage yards.
 - c. Screening. Open storage shall be enclosed by a continuous visual screen provided and maintained as well as buffering requirements found in article 17. The continuous screen shall be a solid wall or fence constructed of wood, brick, or masonry and not less than eight feet in height and shall not exceed eight feet in height.
 - d. Materials stored. Materials stored in the open shall not be stacked higher than the required screen.
 4. Freight/cargo container yards (primary or accessory uses).
 - a. Primary or accessory use shall have a minimum lot size of five acres.
 - b. Open storage of containers shall meet the requirements for outdoor storage found in this article.

7.4.6. *Special exceptions.* (Reserved)

7.4.7. *Prohibited uses.* The following uses are prohibited within the LI light industrial district.

1. Mobile home park.
2. Sexually oriented business.
3. All uses not listed as permitted are prohibited.

LOT AND BUILDING STANDARDS



7.4.8. Lot requirements.

- A. Minimum lot size: Two acres.
- B. Minimum lot frontage:
 - 1. Standard lot: 20 feet.
 - 2. Corner lot: 40 feet.

7.4.9. Minimum yard requirements. The minimum setbacks shall be:

- A. Front yard: 30 feet minimum.
- B. Side yard: 15 feet minimum.
- C. Rear yard: 30 feet minimum.
- D. Accessory structures are permitted in the rear and side yards only with minimum of ten-foot setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the accessory structure is placed in the front yard and/or that portion of the yard that fronts a second street frontage of the property, the front yard setback and/or the setback from the second street frontage property line for the accessory structure is the required front setback and/or second street frontage setback for the primary structure, as applicable.
- E. Second street frontage: 30 feet minimum.
- F. Open drainage ditch and/or stormwater pond easement lines (excluding swales): 30 feet minimum.
- G. Ingress/egress easements: The minimum distance stated above for front, side, or rear.

7.4.10. Unit separation. The minimum distance between structures shall be:

- A. Side to side: 15 feet minimum.
- B. Front to front or rear: 15 feet minimum.
- C. Rear to rear: 15 feet minimum.

7.4.11. Building requirements.

- A. Impervious coverage: 80 percent maximum. Based on gross acreage of a parcel, provided that this requirement will be superseded by specific development guidelines contained in Berkeley County Drainage Ordinance No. 89-4-9, as amended.

Where a development consists of a number of contiguous or adjoining structures, this requirement shall apply to the development as a whole, not to the individual structures or lots.

- B. Building height within the light industrial district will be governed by the current adopted building codes of Berkeley County. After the height limitations are reviewed, the building and/or zoning official may impose additional restrictions. During the required planning and code review the official will give consideration to the structure design and the county's abilities to gain adequate access for firefighting personnel and that such building is designed or is equipped to provide adequate protection against the dangers of fire, and/or that such building is served by an internal fire service organization.

The height limits contained in the airport overlay district, as regulated by article 10, may apply additional height limitations to a specific piece of property.

SITE STANDARDS

7.4.12. *Parking standards.* All uses within this district shall conform to the standards outlined in article 15: Off-Street Parking Requirements.

7.4.13. *Bufferyard standards.* All uses within this district shall conform to the standards outlined in article 17: Bufferyards.

7.4.14. *Single-site development (site) plan.* A single-site development (site) plan, prepared and submitted in accordance with the processes and requirements established in chapter 59, The Land Development and Subdivision Regulations of Berkeley County, is required to be reviewed and, and upon demonstrated conformance to all applicable standards, approved prior to commencement of development and/or redevelopment activities. The plan shall also include, at a minimum, the following information.

- A. The single-site development (site) plan shall also demonstrate conformance to applicable conditional use standards contained herein or specified in article 11.
- B. The single-site development (site) plan shall accompany any necessary supporting documentation or materials required for submittal, review, and/or approval per chapter 59.

(Ord. No. 02-08-33, 8-26-2002; Ord. No. 04-11-68, 11-23-2004; Ord. No. 05-08 58, 8-29-2005; Ord. No. 10-08-24, 8-23-2010; Ord. No. 11-04-02, 4-25-2011; Ord. No. 12-01-02, 1-23-2012; Ord. No. 14-11-38, 11-24-2014; Ord. No. 21-05-25, 5-24-2021)

7.5. Heavy industrial district (HI).



7.5.1. Intent.

A. This district is intended to:

1. Provide for areas within the county where heavy industrial uses and compatible uses may take place, including, but not limited to, the mechanical or chemical transformation of organic or inorganic substances into new products.
2. To reserve and protect sites suitable for heavy industrial development.

7.5.2. Location. This district shall be applied in the industry areas mapped on the future land use map in the comprehensive plan.

USES

7.5.3. Permitted uses. The following uses are permitted within the HI heavy industrial district:

A. Agricultural uses.

1. Agriculture, crop.
2. Agriculture, home animal production.
3. Boarding facilities.
4. Forestry.
5. Agriculture, sales and services.
6. Sale of products produced on site.
7. Agriculture, storage.

B. Commercial uses.

1. Commercial, general services.
2. Commercial, transportation (truckstop).
3. Wholesale sales.

C. Industrial uses.

1. Transportation.
2. Light manufacturing.
3. Heavy manufacturing.
4. Manufacturing services (construction).
5. Manufacturing services (other).
6. Mining/resource extraction.

D. Recreation and amusement uses.

1. Commercial, indoor recreation.
2. Commercial, outdoor recreation.
3. Indoor recreation.
4. Outdoor recreation, active.
5. Outdoor recreation, passive.

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6. Resort/fish camp.
 7. Ecotourism.
 8. Golf course.
 9. Miniature golf.
- E. *Institutional uses.*
1. Assembly and worship.
 2. Cemetery.
 3. College and professional schools.
 4. Neighborhood and community schools.
 5. Protective care.
 6. Government office, public services, and local utilities.
- F. *Storage uses.*
1. Business storage (indoor storage).
 2. Boat storage facility (indoor).

7.5.4. *Accessory uses.* Accessory uses are permitted as a detached structure or use subordinate to the main building or classification that is used for purposes customarily incidental to the principal use. Accessory uses shall not exceed 65 percent of the size of the principal classification. Freight/cargo containers may be used as accessory storage uses within this classification with restrictions as defined below in sub-item C. (Storage), 1. (Business storage (indoor storage)).

The following uses are permitted as accessory uses within the HI heavy industrial district:

A. *Commercial.*

1. Office.
2. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

B. *Industrial.*

1. Maintenance shops and vehicle storage.
2. Residential uses which are incidental or accessory to a principal use or to another accessory use or which are for caretakers, security personnel, managers, or other persons whose physical proximity to a principal use or to a principal use or to another accessory use is reasonably required. (Examples of such accessory uses include, but are not limited to, caretaker cottages, temporary guest facilities, on-site residence for supervisory personnel, conference centers, and meeting rooms with overnight accommodations.)
3. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

C. *Storage.*

1. Business storage (indoor storage). Freight/cargo containers may be permitted by the county for the storage of agricultural, industrial and business supplies, products and/or machinery. Freight/cargo containers used as accessory structures are limited to those parcels in size of five acres or more. The container must adhere to all necessary zoning and building codes.
2. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

D. *Institutional and civic.*

1. Commercial day care center;
2. Refreshment stands and food and beverage sales located in uses involving public assembly;
3. Cafeterias, dining halls, and similar food services when operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
4. Gift shops, newsstands, and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use;
5. Recreation areas and facilities for the use of the employees;
6. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning department as a means of ensuring land use compatibility.

7.5.5. *Uses permitted with conditions.* The following uses are permitted as conditional uses within the HI heavy industrial district. All listed conditions shall be demonstrated prior to permit approval. See article 11 for the procedure for approval of conditional uses.

A. *Agricultural uses.*

1. *Agriculture, intensive animal production.*
 - a. All conditions and regulations found in article 11.3 shall be met prior to permit approval.

B. *Institutional uses.*

1. *Family day care, home.*
 - a. All conditions and regulations found in article 11.6 shall be met prior to permit approval.

C. *Office and industrial uses.*

1. *Commercial communication towers.*
 - a. *List of conditionally approved uses.*
 1. Locating antennas on existing structures with modifications consistent with the conditions [in] article 11.7.
 2. Locating antennas on existing towers with modifications consistent with the conditions [in] article 11.7.
 3. Locating new monopole, guyed, or lattice towers consistent with the conditions [in] article 11.7.
 - b. *District conditions.*

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1. Maximum height: 300, unless a special exception permit is granted by the Berkeley County Zoning Board of Appeals.
 2. A tower and/or antenna mounted on an existing building, water tank, or structure other than a freestanding or guyed tower must not extend more than 20 feet above the highest part of the structure.
- c. *General conditions.*
1. All conditions and regulations found in article 11.7 shall be met prior to permit approval.
 2. Proposed communications equipment co locating [collocating] on existing towers and structure without adding to their height shall not be subject to the requirements of this conditional use.

2. *Mining.*

- a. Site must be buffered in accordance with mine buffer as defined in section 17.7 and other applicable sections of the zoning ordinance.
- b. Dust reduction measures must be employed to alleviate both on-site and off-site dust nuisance generated by the mine site's activities. These measures include, but are not limited to, one or more of the following:
 1. Stabilization of nonactive exposed soil and stockpiles through vegetation, mulching, chemical stabilizer, and/or stone/gravel layering.
 2. Utilization of stabilized roadways within the site.
 3. On-site speed limits to minimize disturbance.
 4. Application of water or other dust palliatives.
- c. DHEC reclamation and regulations must be observed.
- d. An emergency contact sign not to exceed four square feet with light reflective and minimum four inch letters that includes the name of the operator and an after hours phone number must erected at the entrance. The sign must be placed a minimum ten feet from the road right-of-way but no more than 25 feet from the road right-of-way, and must be appropriately maintained through out the operation of the mine site.
- e. Must comply with Berkeley County Noise Ordinance, for sites located within the MS4 area, the Berkeley County Stormwater Management Ordinance.
- f. Mine sites with pit sizes greater than five acres and/or greater than 20 feet deep shall not operate within 300 feet of: a public or private school, a public park or public recreation area (within the Francis Marion National Forest, includes only designated recreation areas), a residential use, a youth activity center, a public library, a licensed child care facility.

For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the mine pit to the nearest eave of the premises of a religious institution, public or private school, youth activity center, public library, child care facility, or to a residential use, and to the nearest active portion of a public park or public recreation area (within the Francis Marion National Forest, includes only designated recreation areas).

A mining operation lawfully operating as a conforming use is not rendered a nonconforming use by the location of a public or private school, public park or recreation

area (within the Francis Marion National Forest, includes only designated recreation areas), a residential use, youth activity center, public library, or child care facility subsequent to the grant or renewal of a mining permit.

- g. Mine sites with pit sizes greater than five acres and/or greater than 20 feet deep where surface water features remain or a depressed area is created, a final grading plan matched to the proposed end use, as specified in the DHEC reclamation plan, shall be submitted. The final grading plan shall demonstrate that sufficient land is to remain unexcavated or that the excavation will be done in a manner permitting the development to conform to this chapter's regulations without any variances.

D. *Storage uses.*

1. *Storage facility (miniwarehouse).*

a. *District conditions.*

- 1. Facility shall meet all landscaping standards.
- 2. Open storage shall meet the requirements for outdoor storage.

b. *General conditions.*

- 1. All conditions and regulations found in article 11.8 shall be met prior to permit approval.
- 2. Outdoor storage (primary use).
 - a. *Screening.* Open storage shall be enclosed by a continuous visual screen provided and maintained as well as buffering requirements found in article 17. The continuous screen shall be wood, brick, or masonry, or chain link with opaque slats and not less than eight feet in height and shall not exceed 12 feet in height.
 - b. *Materials stored.* Materials stored in the open shall not be permanently stacked higher than the required screen.
 - c. No outdoor storage activity shall create a nuisance or unduly disrupt the allowed uses of other property. Vehicle transportation associated with the activity shall be considered when evaluating this criterion with respect to residential areas.
 - d. All outdoor storage activities must have a designated manager; and said manager must be sufficiently bonded to ensure that, in case of abandonment, the site will be rehabilitated and restored, and that all permit conditions regarding the final disposition of the site will be fulfilled.
 - e. For all outdoor storage activities that are subject to permitting by the S.C. Department of Health and Environmental Control (DHEC), information supplied to DHEC under the permit process may be used for the required submission to Berkeley County; provided, however, that where these criteria request information in addition to that provided to DHEC, such additional information must be provided in full. A DHEC permit does not constitute full compliance with the provisions of the Berkeley County zoning and development standards ordinance.

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- f. **Required information.** The applicant shall provide the zoning administrator with information as specified below. The zoning administrator shall confer with other county officials as appropriate, and within 60 days of submission of a complete application, shall either approve the conditional use or deny the permit application. Both permit denials and conditions shall be based upon these criteria and the information required of the applicant.
1. Applicant: name, address, phone number.
 2. If the applicant will not actually manage the activities on-site, provide the manager's name, address, and phone number
 3. Is the applicant or manager bonded? If so, provide details.
 4. What are the proposed activities? Where are they proposed to occur? List the substances that are proposed for storage or disposal. Indicate which, if any, of these substances has been designated as a hazardous material or is required to be disclosed pursuant to the provisions of the Superfund Amendments and Reauthorization Act (SARA), title III (Public Law 99-499, 199 Stat. 1613 (1986)).
 5. Provide a site map. If certain areas of the site are to be used for storage/disposal of hazardous substances and/or substances required to be disclosed pursuant to SARA, title II (*supra*), show such areas on the site map.
 6. Provide a detailed, step-by-step description of the proposed activities. Describe the methods for ensuring that all stored/disposed substances will not create objectionable sanitary, aesthetic, or other nuisance conditions. If applicable, describe the methods and procedures for dealing with spills of liquid materials.
 7. Indicate hours of operation for activities on-site.
 8. Indicate the type and extent of outdoor lighting that will be used, and the duration of such lighting (e.g., 24 hours, will end at midnight, etc.)
 9. Indicate the type, extent, and duration of machinery noise that will be associated with activities on-site.
 10. Specify the extent and type of vegetative buffering to be used to protect adjoining properties.
 11. Specify the distance of the site from the nearest property zoned specifically for residential use (R1, R1-MM, R2, R3, R4, R5, R1-R, R2-R, R15, Flex1).
 12. Submit a drainage plan that meets the requirements of Berkeley County Drainage Ordinance No. 89-4-9, as amended.
 13. Indicate what roads and transportation corridors will be used to support the proposed activities, and indicate the types of vehicles, estimated numbers of vehicles and trips, and times of day that traffic can be expected to be generated.

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3. Outdoor storage (accessory use).
 - a. Permitted as an accessory use.
 - b. Outdoor storage activity shall not exceed 50 percent of the total land use.
 - c. *Screening.* Open storage shall be enclosed by a continuous visual screen provided and maintained as well as buffering requirements found in article 17. The continuous screen shall be a solid wall or fence constructed of wood, brick, or masonry and not less than eight feet in height and shall not exceed eight feet in height.
 - d. *Materials stored.* Materials stored in the open shall not be permanently stacked higher than the required screen.
 4. Freight/cargo container yards (primary or accessory uses).
 - a. Primary or accessory use shall have a minimum lot size of five acres.
 - b. Open storage of containers shall meet the requirements for outdoor storage found in this article.

E. *Industrial.*

1. *Waste disposal facilities.* Waste disposal facilities are those sites utilized for the disposal of solid waste as well as those sites utilized for industrial disposal of industrial byproducts. May be referred to as landfills. Waste facilities constructed after the effective date of this ordinance are subject to the conditions listed below.
 - a. *District conditions.*
 1. All commercial waste disposal facilities shall comply with the "Berkeley County and Dorchester County Solid Waste Management Plan 1993-2013" and the "Berkeley County Water and Sanitation Authority 2000 Update to Solid Waste Management Plan."
 2. All industrial waste disposal facilities shall be lined with materials permitted by SCDHEC as appropriate for the specific waste disposal site.
 3. All industrial waste disposal facilities shall be limited in size to 50 percent of the size of the principal classification.
 4. All waste disposal facilities shall be no higher than permitted by SCDHEC.
 5. All industrial waste disposal facilities shall be formally permitted by the applicable state and/or federal regulatory agency.
 6. All industrial waste disposal facilities shall be registered with the county as a permitted conditional use per this article.

7.5.6. *Special exceptions.* The following uses are permitted as special exception uses within the HI heavy industrial district. See article 11 for the procedure for approval of special exception uses.

A. *Commercial uses.*

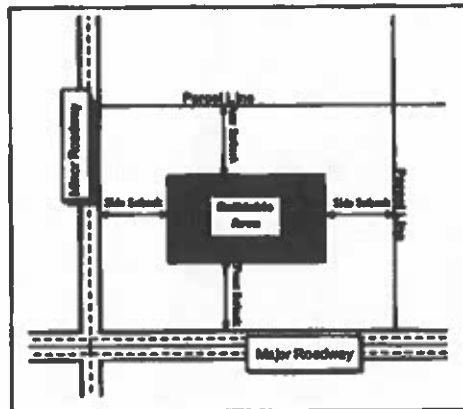
1. *Sexually oriented business.*
 - a. All conditions and regulations found in article 11.4 shall be met prior to permit approval.

7.5.7. *Prohibited uses.* The following uses are prohibited within the HI heavy industrial district.

1. Mobile home park.

2. All uses not listed as permitted are prohibited.

LOT AND BUILDING STANDARDS



7.5.8. Lot requirements.

- A. Minimum lot size: Five acres.
- B. Minimum lot frontage:
 - 1. Standard lot: 20 feet.
 - 2. Corner lot: 40 feet

7.5.9. Minimum yard requirements. The minimum setbacks shall be:

- A. Front yard: 40 feet minimum.
- B. Side yard: 20 feet minimum.
- C. Rear yard: 40 feet minimum.
- D. Accessory structures are permitted in the rear and side yards only with minimum of ten-foot setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the accessory structure is placed the front yard and/or in that portion of the yard that fronts a second street frontage of the property, the front yard setback and/or the setback from the second street frontage property line for the accessory structure is the required front setback and/or second street frontage setback for the primary structure, as applicable.
- E. Second street frontage: 30 feet minimum.
- F. Open drainage ditch and/or stormwater pond easement lines (excluding swales): 30 feet minimum.
- G. Ingress/egress easements: The minimum distance stated above for front, side, or rear.

7.5.10. Unit separation. The minimum distance between structures shall be:

- A. Side to side: 15 feet minimum.
- B. Front to front or rear: 15 feet minimum.
- C. Rear to rear: 15 feet minimum.

7.5.11. Building requirements.

- A. Impervious coverage: 80 percent maximum. Based on gross acreage of a parcel, provided that this requirement will be superseded by specific development guidelines contained in Berkeley County Drainage Ordinance No. 89-4 9, as amended.

Where a development consists of a number of contiguous or adjoining structures, this requirement shall apply to the development as a whole, not to the individual structures or lots.

- B. Building height within the heavy industrial district will be governed by the current adopted building codes of Berkeley County. After the height limitations are reviewed, the building and/or zoning official may impose additional restrictions. During the required planning and code review the official will give consideration to the structure design and the county's abilities to gain adequate access for firefighting personnel and that such building is designed or is equipped to provide adequate protection against the dangers of fire, and/or that such building is served by an internal fire service organization.

The height limits contained in the airport overlay district, as regulated by article 10, may apply additional height limitations to a specific piece of property.

- C. Antennas, chimneys, flues, vents or other similar structures may extend up to five feet above the maximum specified height. Church spires, bell towers, flagpoles, and like architectural features may extend over the specified height limit by 50 percent of the height limit, but shall not have habitable spaces above the maximum height limit.

SITE STANDARDS

7.5.12. *Parking standards.* All uses within this district shall conform to the standards outlined in article 15: Off-Street Parking Requirements.

7.5.13. *Bufferyard standards.* All uses within this district shall conform to the standards outlined in article 17: Bufferyards.

7.5.14. *Single-site development (site) plan.* A single-site development (site) plan, prepared and submitted in accordance with the processes and requirements established in chapter 59, "The Land Development and Subdivision Regulations of Berkeley County," is required to be reviewed and, upon demonstrated conformance to all applicable standards, approved prior to commencement of development and/or redevelopment activities. The plan shall also include, at a minimum, the following information.

- A. The single-site development (site) plan shall also demonstrate conformance to applicable conditional use standards contained herein or specified in article 11.
- B. The single-site development (site) plan shall accompany any necessary supporting documentation or materials required for submittal, review, and/or approval per chapter 59.

(Ord. No. 02 08 33, 8 26-2002; Ord. No. 02-12-58, 12 16 2002; Ord. No. 04-11-68, 11-23-2004; Ord. No. 05-08-58, 8-29-2005; Ord. No. 06-12-92; 12-11-2006; Ord. No. 10 08 24, 8-23-2010; Ord. No. 11-04-02, 4-25-2011; Ord. No. 21 05-25, 5-24-2021)

7.6. Exempt governmental district (EG).

7.6.1. *Intent.* The zoning designation EG shall be applied to all federal governmental-owned land that is exempt from this ordinance.

7.6.2. *Standards.* None.